

Date: May 10, 2006

Item No.

MILPITAS PLANNING COMMISSION AGENDA REPORT

Category: Public Hearings

Report Prepared by: Cindy Hom

Public Hearing: Yes ☒ No: ☐

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TITLE: "S"ZONE APPROVAL NO. SZ 2005-12

Proposal: A request to construct a 5,994 square foot single story residence, detached second family unit, and various landscape amenities including a patio cover, in ground pool, and spa.

Location: 1000 Piedmont Road (APN 88-44-099)

RECOMMENDATION: Approve with conditions to City Council

Applicant: John Ha, 510 Lawrence Expressway, Sunnyvale, CA 94085

Property Owner: Phung Nguyen and Trang Tran, 1671 Canyon View Dr. San Jose, CA 95132

Previous Action(s): Tentative Map Approval

Environmental Info: Categorically Exempt pursuant to section 15303 (a) of the California Environmental Quality Act (New construction or conversion of small structures, Single family home residence)

General Plan Designation: "Hillside – Very Low Density"

Present Zoning: Single Family Residential-Hillside" ("R1-H")

Existing Land Use: Vacant

Agenda Sent To: Applicant/property owner

Attachments: Plans, Memo dated 4/24/06 from Milpitas Fire Department, April 12, 2006 Staff report.

PJ #: 3197

BACKGROUND

This item was continued to the May 10, 2006 Planning Commission meeting to address issues raised by during the Public Hearing on April 12, 2006 for the project.

A detailed staff report dated April 12, 2006 was provided to the Planning Commission and reviewed during its April 12th meeting. This application was submitted pursuant to Section 45

(Hillside Combining District) and Section 42 (Site and Architectural Review), of the Milpitas Zoning Ordinance for the construction of a new 5,994 square foot contemporary ranch style single story residence, a 809 square foot detached second family unit, and other various site and landscape amenities including an attached patio cover, in ground pool and spa, retaining wall, openwork iron fence and 43 new trees on a 1.68-acre triangular shaped parcel located on the northeast quadrant of the intersection at Piedmont Road and Landess Avenue. An aerial photo of the subject site is provided below:



The project was reviewed for conformance with the General Plan and Zoning Ordinance. As indicated in the staff report dated April 12, 2006, the project is consistent with the General Plan and complies with the Zoning Ordinance requirements for development in the hillside. The project encourages a housing type that meets the needs of individuals and families. As proposed, the project utilizes colors and materials that blend with the environment and preserves views of the hillside. The project also complies with the development standards for the R1-H (Single Family- Hillside) Zone and is demonstrated in Table 1 on the proceeding page:

TABLE 1

HILLSIDE ZONING STANDARDS & REQUIREMENTS			
	REQUIRED	PROPOSED	COMPLIES
BUILDING HEIGHT			
17 WEST OF CRESTLINE	17'	17'	✓
27' EAST OF CRESTLINE	n/a	n/a	
SETBACKS			
FRONT	25' If avg. slopes is < 16%; otherwise 40' is required	25'	✓
SIDE	40'	40'	
REAR	40'	40'	
SIZE OF MAIN RESIDENCE	6,000 sq. ft. maximum	5,994 sq. ft.	✓
IMPERVIOUS SURFACES	10% of total lot area or 8,000 SQ. FT.	7, 998 sq. ft.	✓
CRESTLINE ZONE OF PROTECTION (CZP)	No structure shall visually intrude into the CZP. Land within the CZP shall remain in a natural condition and structures, grading and non-native plant material are prohibited.	No structure in the CZP. Located approximately 6,000 away from the CZP.	✓
LOT AREA	None specified. The avg. land area/dwelling is based on the Slope Density Equation. The General Plan requires a density of 1 unit/10gross acres. However, lots that were created prior to the effective date the Hillside Ordinance was codified are exempt.	Not applicable. Lot is exempted per Section 45.03-7	✓

ISSUES

Planning Commission directed staff to respond to the Planning Commissioners' questions and issues raised by Steve Bunnell, a Milpitas resident. The following responses are outlined below:

Questions from the Planning Commission

Q: Is a retaining wall or fence being proposed along Piedmont Road street frontage?

A: A 5' openwork iron fence is proposed along Piedmont Road. A detail of the fence is provided on sheet A-3.2 of the plans forwarded to the Planning Commission on April 7, 2006.

Q: Does watering of construction areas twice daily include Piedmont Road and has the project taken account construction traffic impacts?

A: COA #13 is a standard condition of approval for projects that involve construction activities and is limited to the project site. As shown in the erosion control plan, sheet C-6, fiber rolls shall be installed around the perimeter of the site to prevent erosion and runoff from spilling onto public right-of-ways and receiving storm drain facilities. The erosion control plan also shows a designated area for construction entrance and a concrete wash out area. Therefore, mud will not be tracked offsite. Any stock piling of topsoil shall be done in conformance with the standard guidelines for stormwater and urban runoff pollution prevention. Therefore, any potential runoff or erosion onto Piedmont is mitigated and less than significant.

In review of the project, staff did not anticipate any traffic impacts on Piedmont Road because the site is large enough to accommodate construction and construction staging onsite. Currently, no on-street parking is allowed on Piedmont Road and the posted speed limit is 35mph.

Q: Is there a state law that restricts speed limits in construction zones or areas?

A: The City Attorney's Office found nothing in the California Codes *requiring* that a speed limit be reduced in a construction area, but there is certainly authority for a local agency to enforce stricter speed limits than those posted when entering a construction area or zone in the City.

The City Attorney's review of the Vehicle code indicated that the City does have the authority to authorize and enforce stricter speed limits within the City when there is any kind of construction activity. Per Section 21100(f) of the Vehicle Code, local authorities may adopt rules and regulations by ordinance or resolution that regulates traffic movement through construction areas. Furthermore, section 22362 of the Code makes it a violation of law to disobey posted signs identifying restricted areas and reducing the applicable speed limit. Under the statute, local agencies are indirectly granted authority to reduce the speed limit to as little as 25 mph in areas where employees or contractors of the agency are working.

Also, under section 42009, fines for violations in marked construction zones increase.

Q: Are there any permanent structures proposed over utility lines and over the new utility connection to city services?

A: No permanent structures are proposed over utility lines and facilities for water, sewer, and stormwater. As per COA # 23 and COA #24, the applicant must dedicate necessary public service utility easements. All onsite public utilities shall be protected in place and if necessary, relocated to the approval of the City Engineer. Through the building permit process staff will be able to review the site improvement plans and verify compliance with

this condition. Prior to COA #24 also further states no permanent structures shall be permitted within City easements to allow for access to facilities for maintenance and repair.

Q: Did the project consider the advantages of solar energy design?

A: The project proposal does not propose the use of solar energy designs.

Q: What does the City intend to do about the abandoned road and cul-de-sac?

A: City has no plan to abandon the Old Piedmont Road and cul-de-sac. Proposals to abandon any public roadway or easement would require City Council approval and subject to notification of adjacent property owners, public utility companies and a public hearing.

In the past, numerous complaints were received for nuisances including illegal dumping, graffiti, and the gathering of people on the cul-de-sac. To alleviate this problem, the City coordinated with the San Jose Fire Department and installed a gate to prohibit general public access to the cul-de-sac area. San Jose Fire Department was provided a key to unlock the gate and is able to utilize the cul-de-sac for fire turn around. Currently, City's Public Works Department is looking into this matters relating to the maintenance of the cul-de-sac and will provide the Planning Commission with an update in the near future. Portion of Old Piedmont Road, including the entire cul-de-sac is a City owned facility. As proposed, the subject development does not obtain access from this roadway. Old Piedmont Road and the cul-de-sac is not part of the project area and should be separate from this reiew.

Q: Are the proposed trees fire resistant?

A: The proposed trees are consistent with City Council Resolution 6066 in terms of plant species and spacing. Landscaping includes drought tolerant species and does not mix ground cover and shrubs directly beneath tree canopies. The proposed landscaping are arranged in clusters and spaced apart to provide adequate access to routinely remove dead wood and planted an acceptable distance away from combustible structures.

Questions from Steve Bunnell

Q: Did Shapell ever intend to build on this site since they assigned lot numbers to the parcel? If so did the former City Council decisions or the Planning Division deny building on this lot for any reason? Also another owner possessed the land before the current owners. Did the former owner ever try to develop the property?

A: The Final Map and review of the planning files and Planning Commission minutes showed no evidence of any restrictions of development on this lot. The reasons why previous owners never developed this site are unknown and not relevant to the project currently under review. This parcel is a legal lot of record and can be develop pursuant to the Milpitas Zoning Ordinance.

Q: The Association of Bay Area Governments (ABAG) GIS Earthquake Fault Zone Map shows the Hayward Fault to be right in the center of the property. I understand that the City of Milpitas did a site study from the mid 1980's for their survey. Their survey showed the Hayward Fault around 850 feet east of the property and the Crosley Fault nearby. The ABAG site has a disclaimer that reads fault information in these digital files is not

sufficient to serve as a substitute for the geological but I would appreciate a more up to date seismic study of this property.

A: As required by the Milpitas Zoning Ordinance and General Plan, a geological and geotechnical study was conducted in June and July of 2005 and provides a current seismic study of this property. The scope of the geological and geotechnical investigation prepared by Billy Lin and Associates included:

- a. Review available published and unpublished geological, seismic, and geotechnical information on file with the U.S. Geological Survey, The California Geological Survey as well as other reports as recent as 2005.
- b. Perform site reconnaissance and geologic mapping
- c. Perform surface exploration to detect possible presence of fault traces within and around the proposed building envelope.
- d. Perform subsurface exploration to evaluate the subsurface geotechnical conditions at the project site
- e. Perform laboratory testing appropriate to the investigation
- f. Perform engineering analysis, including slope stability analysis, and evaluate the resulting field data.

The project site is located within the State of California Special Study Zone, which is an official map prepared by the California Division of Mines and Geology. As noted in the Geological and Geotechnical Report as well as the staff report, the Hayward Fault is mapped approximately 2,800 feet northeast of the project site. Two fault traces associated with the Hayward fault is the Crosley and Berryessa Faults. The Crosley Fault is located close to and along the northeastern property boundary and the Berryessa Fault is mapped approximately 900 feet northeast of the site. As per COA # 10, the site will be developed in accordance with the recommendations and design considerations contained in the Geological and Geotechnical Report dated September 11, 2005 by Billy Lin and Associates as well as the peer review recommendations prepared by Geotechnical Engineers Incorporated.

Q: When I review the plans last Friday I was told that the land was not in a slide area. Staff said that slippage in the hillside was missing the property and I believe arching just north of the property. I can't understand why this lot would be the only one in the area not on the move. The Lee's Orchard development to the north has had hillside slippage problems for years as have the San Jose land to the South. I took a picture for you to review of the court just above the property. The picture clearly shows slippage heading directly through the property. One other major problem that happened near the area was the replacement of a 300ft. huge water transmission main that was in danger of failure due to hillside slippage.

A: As noted in the Geological and Geotechnical report dated September 11, 2005 and April 12, 2006 staff report, the property is within proximity of the Berryessa Creek Landslide Complex which includes the Northern Young Landslide which is located approximately 250 feet north from the northern end of the project site and slips to the northwest, away from the site. The Adjacent Hillside Landslide is located to the east and slips to the west. The Old

Piedmont Road Landslide is located to the south and moves southwesterly, away from the project site.

Regarding the visible “cracking” on the surface of the cul-de-sac, it is not caused by differential settlement of the underlying soils or by the Crosley Fault thrust movement. Exploratory borings show that the pavement is supported on moderately compacted structural fill to a depth of about 4 feet, followed by very stiff to hard silty clay soils. The minor and moderate cracks observed on Piedmont Road next to the northwest end of the property appear to be the result of one or more following causes: 1) the settlement of fill underlying this portion of the street and 2) slow rate of movement of the adjacent deep-seated complex landslide that moves to the west.

The report further indicated that no active slide is observed within the project site. As conditioned no habitable structures shall be located within 50 feet from the Crosley Fault and 75 feet from the Landslide Toe. The construction of the home must also comply with the recommendations and design considerations specified in the Geological and Geotechnical as well as the recommendations made from Geotechnical Engineers Incorporated who conducted the peer review of the report for the City.

Q: The court I mentioned is located at one corner of the property. During the title search I noticed that the City of Milpitas ownership and an easement to part of the court. I want to be sure the City of Milpitas does not ever release the easement. The court is critical for Fire Engines to be able to turn around on Old Piedmont Rd. I understand that the City of San Jose owns Old Piedmont but as a good neighbor and for safety reason the court should always remain in tact. Also the City should retain utility easement right on our abandon section of Old Piedmont to the east of the property.

A: City has no plan to abandon the Old Piedmont Road and cul-de-sac. Any proposal to abandon any public roadway or easement would be subject to notification of adjacent property owners, public utility companies and a public hearing.

Q: I snapped a picture of the lot showing just how high the lot sits in relation to the curb along Piedmont Road. The lot is at least five feet higher than the curb. With a 17ft. high home it will stand just as high as the two-story home. I understand that all home built along the scenic corridor must be single story but with the height of the lot it will be seen like a two-story home.

A: As proposed, the single story home is situated on the relative flat part of the parcel which not only minimizes grading but also preserves the vista of the hillside. The proposed home complies with the required 17 feet height limitation. The home will not appear like a two story home because there is no second floor nor does the proposed home propose any steep rooflines or architectural feature that would give an appearance of a second story.

Q: The plan only calls for one Fire Hydrant installed. The nearest Fire Hydrant is 1000 feet north of the hydrant that is to be installed. Staff informed me that the 300 feet is recommended for hydrant spacing. If this project gets approved I would put into the stipulation that the homebuilder install two hydrants along their property front and use the utility easement to install one on the court above.

A: Per the Milpitas Municipal Code V-300-2.1.24, any dwelling located more than 500 feet from a hydrant is considered to be without adequate piped water supply for fire protection. Under the noted Municipal Code Section, a minimum of 200 gallons per minute for 20 minutes is required. As a condition, the applicant is required to install one new public fire hydrant which provides estimated 1,500 gallons per minute to as much as 3,000 gallons per minute which exceeds the minimum 200 gallon per minute that is required. Considering no access will be taken from the cul-de-sac and the home has a fire sprinkler system, an additional hydrant on the court and a second hydrant along Piedmont Road above would be unnecessary.

RECOMMENDATION

Recommend approval to the City Council based on the findings and subject to the conditions listed below.

FINDINGS

1. The project complies with the relevant sections of the City's General Plan and Zoning Ordinance.
2. The proposed residence is of an attractive design using appropriate colors and materials that complement the surrounding neighborhood and Hillside area.
3. The project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA) inasmuch as it meets the definition of Class 3 Exemption (*i.e. new construction of small structures—specifically, construction of up to three single-family residences in urbanized areas*).

SPECIAL CONDITIONS

1. This approval is for the development of a 5,994 square foot single-family residence, detached second family unit, and various landscape amenities as shown on approved plans dated April 12, 2006 and as modified by these conditions of approval. Any modification shall be submitted pursuant to Section 42 for Planning Commission review and approval. (P)
2. Prior to any tree removal, the applicant shall obtain a tree removal permit from the City Parks and Facilities Department. (P) (PW)
3. Prior to any demolition or grading permit issuance, the applicant shall submit to the Planning Division a tree protection plan prepared by an arborist, addressing protective measures for the existing trees to be retained on the developed site. (P) (PW)
4. Prior to any demolition or grading permit issuance, the applicant shall obtain tree removal permits as required. (P) (PW)
5. Applicant shall screen all ground utilities (backflow preventers) and necessary fire equipment (as per Fire Department Standards). (P)

6. The building height shall not exceed 17 feet for the residence and any accessory structures and buildings as measured from the lowest finished grade to the highest ridgeline of the building, per the City of Milpitas Hillside Ordinance. (P)
7. Impervious surface area shall not exceed 10% of the lot area or a maximum of 8,000 square feet, per the City of Milpitas Hillside Ordinance. (P)
8. Prior to building permit issuance, the applicant shall include calculations with the building permit plans that demonstrate the openwork type fence provides the required 75% transparency. (P)
9. No structures of human occupancy should be constructed within 50 feet of the Crosley Fault and within 75 feet of the Landslide Toe. Construction drawings shall clearly show the Crosley Fault setback and the Landslide setback. (P)
10. The applicant shall comply with the findings and recommendations prepared by Billy Lin and Associates, contained in the geotechnical reports, dated September 11, 2005 and the addendum prepared by GEI dated February 13, 2006 to ensure compliance with this mitigation. The applicant shall also submit a letter from a licensed geotechnical engineer at Billy Lin and Associates certifying that all of their recommendations have been incorporated into the submitted building or grading plans prior to issuance of any grading or building permit. Additionally, prior to obtaining a final, a certificate of occupancy, or any occupancy for the building, the applicant shall submit a letter from a licensed geotechnical engineer at Billy Lin and Associates certifying that all of their recommendations have been satisfied. (P) (E) (B)
11. The applicant shall submit a grading plan to the Planning staff showing that the overall height, grade, cut and fill slopes are developed in conformance with the recommendations from the Geological and Geotechnical Report dated September 11, 2005 and the addendum dated February 13, 2003. (P)
12. The applicant shall record with the Santa Clara County Records office a hold harmless agreement with the deed for the property disclosing that the site is located within an ancient landslide area, which may have higher than normal potential landslides. This agreement would hold harmless the City from future landslides resulting from development of a site within an ancient landslide area. The City Attorney shall draft said agreement. (P)
13. The applicant shall submit an erosion control plan to the approval of the Planning Division. Erosion control measures shall be in place prior to the start of any work and maintained until the completion of construction. (P)
14. During all construction activities on-site, the project applicant/developer shall adhere to the following Best Management Practices as suggested by BAAQMD:
 - a. Watering all active construction areas twice daily and more often during windy periods. Active areas adjacent to existing land uses shall be kept damp at all times, or shall be treated with non-toxic stabilizers or dust palliatives.
 - b. Cover all trucks hauling soil, sand, and other loose material or require all truck to maintain at least 2 feet freeboard level within their truck beds.

- c. Pave, apply water three times daily or apply non-toxic soil stabilizers on all unpaved access roads, parking areas, and staging areas at the construction site. (P)
- 15. Prior to certificate of occupancy all landscaping shall be installed. (P)
- 16. The applicant shall clarify on the building permit plans that pervious concrete is to be used for the construction of the driveway and walkways. (P)
- 17. If at the time of application for permit there is a project job account past due balance to the City for recovery of review fees, review of permit will not be initiated until the balance is paid in full. (P)
- 18. Public easement should be clearly marked. There should be no private plantings or irrigation around public tree plantings. (PW)
- 19. The issuance of building permits to implement this land use development will be suspended if necessary to stay within (1) available water supplies, or (2) the safe or allocated capacity at the San Jose/Santa Clara Water Pollution Control Plant, and will remain suspended until water and sewage capacity are available. No vested right to the issuance of a Building Permit is acquired by the approval of this land development. The foregoing provisions are a material (demand/supply) condition to this approval. (E)
- 20. Prior to issuance of any building permits, developer shall obtain approval from the City Engineer of the water, sewer and storm drain studies for this development. These studies shall identify the development's effect on the City's present Master Plans and the impact of this development on the trunk lines. If the results of the study indicate that this development contributes to the over-capacity of the trunk line, it is anticipated that the developer will be required to mitigate the overflow or shortage by construction of a parallel line or pay a mitigation charge, if acceptable to the City Engineer. (E)
- 21. At the time of building permit plan check submittal the developer shall submit a grading plan and a drainage study prepared by a registered Civil Engineer. The drainage study shall include offsite tributary drainage areas currently draining to this site via existing cul-de-sac and analyze the existing and ultimate conditions and facilities. The subject study shall recommend adequate drainage facilities to properly accept and convey drainage flows. The study shall be reviewed and approved by the City Engineer and the developer shall satisfy the conclusions and recommendations of the approved drainage study prior to building permit issuance. (E)
- 22. Prior to building permit issuance, the developer shall obtain design approval and bond for all necessary public improvements along Piedmont Road including but not limited to new curb and gutter, pavement, street lights, fire hydrants, water and sewer main line extension to serve the development, storm drain, sewer and water services. Plans for all public improvements shall be prepared on Mylar (24"x36" sheets) with City Standard Title Block and submit a digital format of the Record Drawings (AutoCAD format is preferred) upon completion of improvements. The developer shall also execute a secured public improvement agreement. The agreement shall be secured for an amount of 100% of the engineer's estimate of the construction cost for faithful performance and 100% of the engineer's estimate of the construction cost for labor & materials. (E)

23. Prior to building permit issuance, developer must pay all applicable development fees, including but not limited to, water, sewer, and storm drain connection fees, plan check and inspection deposit. These fees are collected as part of the secured public improvement agreement. (E)
24. Prior to any building permit issuance developer shall dedicate necessary public service utility easements, as shown on the Engineering Services "S" dated 3/9/2006. (E)
25. All existing on-site public utilities shall be protected in place and if necessary relocated as approved by the City Engineer. No permanent structure is permitted within City easements and no trees or deep-rooted shrub are permitted within City utility easements, where the easement is located within landscape areas. (E)
26. The U.S. Environmental Protection Agency (EPA) has empowered the San Francisco Bay Regional Water Quality Control Board (RWQCB) to administer the National Pollution Elimination Discharge System (NPDES) permit. The NPDES permit requires all dischargers to eliminate as much as possible pollutants entering our receiving waters. Construction activities which disturb 1 acres or greater are viewed as a source of pollution, and the RWQCB requires a Notice of Intent (NOI) be filed, along with obtaining an NPDES Construction Permit prior to the start of construction. A Storm Water Pollution Prevention Plan (SWPPP) and a site monitoring plan must also be developed by the applicant, and approved by the City prior to permit issuance for site clearance or grading. Contact the RWQCB for questions regarding your specific requirements at (800) 794-2482. For general information, contact the City of Milpitas at (408) 586-3329. (E)
27. The developer shall not obstruct the noted sight distance areas as indicated on the City standard drawing #405. Overall cumulative height of the grading, landscaping & signs as determined by sight distance shall not exceed 2 feet when measured from street elevation. (E)
28. The developer shall submit the following items with the building permit application and pay the related fees prior to building permit issuance:
 - A) Storm water connection fee of **\$3594**, water connection fee of **\$1910**, sewer connection fee of **\$1908** and wastewater treatment plant fee of **\$880**.
 - B) Water Service Agreement(s) for water meter(s) and detector check(s).
 - C) Sewer Needs Questionnaire and/or Industrial Waste Questionnaire.Contact the Land Development Section of the Engineering Division at (408) 586-3329 to obtain the form(s). (E)
29. Prior to any work within public right of way or City easement, the developer shall obtain an encroachment permit from City of Milpitas Engineering Division. (E)
30. It is the responsibility of the developer to obtain any necessary encroachment permits or approvals from affected agencies and private parties, including but limited to the State of California Department of Water Resources (DWR). Copies of these approvals or permits must be submitted to the City of Milpitas Engineering Division. (E)
31. Apply applicable Guidelines for New Developments and Hillside Landscaping Water Conservation Policy (Resolution # 6066). (E)

32. Per Milpitas Municipal Code Chapter 2, Title X (Ord. No. 201), developer may be required to obtain a permit for removal of any existing tree(s). Contact the Street Landscaping Section at (408) 586-2601 to obtain the requirements and forms. (E)
33. The developer shall call Underground Service Alert (U.S.A.) at (800) 642-2444, 48 hrs prior to construction for location of utilities. (E)
34. At the time of building plan check submittal, the developer shall incorporate the changes shown on Engineering Services Exhibit "S"(dated 3/9/2006) in the design plans and submit three sets of civil engineering drawings showing all proposed utilities and public improvements to the Land Development Engineer for plan check. (E)

(P) = Planning Division; (E) = Engineering Division

PHUNG RESIDENCE

1000 PIEDMONT ROAD
MILPITAS, CALIFORNIA 95035

OWNER:
PHUNG NGUYEN
1671 CANYON VIEW DR.
SAN JOSE, CA 95132
TEL: (408) 926-1625

ARCHITECT:
JOHN HA, AIA
510 LAWRENCE EXPRESSWAY
SUITE #105
SUNNYVALE, CA 94085
TEL: (408) 245-0991
FAX: (408) 245-0319

CIVIL ENGINEER:
SMP COMPANY
1534 CAROB LANE
LOS ALTOS, CA 94024
TEL: (408) 472-5062
FAX: (408) 287-8630

SOIL ENGINEER:
**ALLIANCE ENVIRONMENTAL
& SOIL ENGINEERING**
1400 COLEMAN AVE. # C16F
SANTA CLARA, CA 95050
TEL: (408) 970-8685

PROJECT DESCRIPTIONS

EXISTING IS A HILLSIDE LOT. THIS PROJECT IS TO PROPOSE A SINGLE STORY RESIDENCE WITH A SECOND FAMILY UNIT.

NOTES

- * FIRE SAFETY DURING CONSTRUCTION, ALTERATION OR DEMOLITION SHALL BE IN CONFORMANCE WITH THE CFC SECTION 8704.
- * COMBUSTIBLE CONSTRUCTION SHALL NOT BEGIN UNTIL FIRE APPARATUS ACCESS ROADS ARE INSTALLED AND WATER MAINS AND HYDRANTS ARE OPERATIONAL. CFC SECTIONS 8704.2 AND 8704.3.
- * PROVIDE ADEQUATE CLEARANCE OF BRUSH AND VEGETATIVE GROWTH. CFC SECTION 1105.2.4.
- * PROVIDE A TELEPHONE PRIOR TO CONSTRUCTION. CFC SECTION 8704.1.

GENERAL NOTES

IT IS THE RESPONSIBILITY OF THE CONTRACTOR AND SUBCONTRACTORS TO CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS INDICATED ON THESE DRAWINGS AND MAKE KNOWN ANY DISCREPANCIES AND NOTIFY THE ARCHITECT PRIOR TO GIVE PROPOSAL AND COMMENCEMENT THEIR WORK.

THESE DRAWINGS ARE INTENDED FOR USE IN A NEGOTIATED CONSTRUCTION CONTRACT AND, THEREFORE, MAY NOT SPECIFICALLY DETAIL OR SPECIFY MATERIAL AND / OR MANUFACTURERS. THE CONTRACTOR SHALL PROVIDE ALL SAMPLES AND OR CUTS AS REQUIRED TO ASSIST OWNER OR HIS AGENT IN MAKING MATERIAL SELECTIONS. FOR THE PURPOSE OF ESTIMATING, THE CONTRACTORS SHALL USE THE MATERIALS SELECTED BY THE OWNER, OR IN ABSENCE OF SAME, HE SHALL PROVIDE AN ALLOWANCE AMOUNT AND SO CONDITION ANY COST ESTIMATE. ALL MATERIALS SPECIFIED IN THESE DRAWINGS SHALL BE INCLUDED IN SUCH ESTIMATE.

NO GUARANTEE OF QUALITY OF CONSTRUCTION IS IMPLIED OR INTENDED BY THE ARCHITECTURAL DOCUMENTS. AND THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ANY OR ALL CONSTRUCTION DEFICIENCIES.

THE GENERAL CONTRACTOR SHALL HOLD HARMLESS, INDEMNIFY AND DEFEND THE ARCHITECT FROM ANY ACTION INITIATED BY THE FINAL OWNER OR ANY SUBSEQUENT OWNERS FOR CONSTRUCTION DEFICIENCIES, MODIFICATIONS OR SUCH CONDITIONS WHICH MAY BE BEYOND THE CONTROL OF THE ARCHITECT.

ALL WORK SHALL COMPLY WITH APPLICABLE CODES AND TRADE STANDARDS WHICH GOVERN EACH PHASE OF WORK, INCLUDING BUT NOT LIMITED TO: UNIFORM BUILDING CODE (UBC), UNIFORM MECHANICAL CODE (UMC), NATIONAL ELECTRICAL CODE (NEC), NATIONAL PLUMBING CODE (NPC), AND ALL APPLICABLE LOCAL CODES AND LEGISLATION.

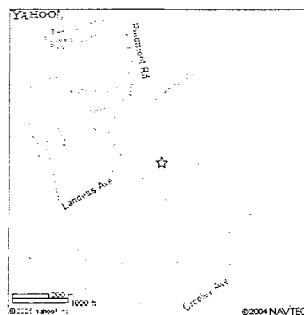
THE CONTRACTOR SHALL REVIEW AND RECORD THE CONDITIONS OF ALL EXISTING SITE IMPROVEMENTS INCLUDING PHASE AREAS. HE SHALL MAKE KNOWN ALL EXISTING DAMAGED OR DISAPPEARED ITEMS AND CONDITIONS THAT MAY WORSEN DUE TO THE CONSTRUCTION. ALL ITEMS IN GOOD CONDITION SHALL BE MAINTAIN IN THEIR PRESENT CONDITION AND ANY REPAIR OR DAMAGE WHICH OCCURS DURING CONSTRUCTION SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.

CONTRACTOR SHALL THOROUGHLY EXAMINE THE SITE AND SATISFY HIMSELF AS OF THE CONDITIONS UNDER WHICH THE WORK IS TO BE PERFORMED. THE CONTRACTOR SHALL VERIFY AT THE SITE ALL MEASUREMENTS AFFECTING HIS WORK AND SHALL BE RESPONSIBLE FOR THE CORRECTNESS OF SAME. NO EXTRA COMPENSATION WILL BE ALLOWED TO THE CONTRACTOR FOR THE EXPENSES DUE TO HIS NEGLIGENCE TO EXAMINE OR FAILURE TO DISCOVER CONDITIONS WHICH MAY AFFECT HIS WORK.

ALL NEW INTERIOR PAINT COLOR, FLOOR, WALLS AND CEILING FINISHES SHALL BE SELECTED BY OWNER AT THE TIME WHEN IT IS NECESSARY FOR THE COMPLETION OF THE PROJECT.

ALL PUBLIC IMPROVEMENTS SHALL BE MADE IN ACCORDANCE WITH THE LATEST ADOPTED CITY STANDARDS. THE STORING OF GOODS AND MATERIALS ON SIDEWALK AND/OR STREET SHALL NOT BE ALLOWED UNLESS THE CONTRACTOR HAS APPLIED AND SECURED A SPECIAL PERMIT WHICH ALLOW SUCH STORAGE TO BE PLACED.

LOCATION MAP



LOT COVERAGE CALC.

SITE ACRES:	1.68 AC.
SITE AREA:	73,181 SF.
IMPERVIOUS SURFACE AREA:	7,998 SF.
PERCENTAGE OF LOT:	10.93%
MAIN BUILDING AREA:	5,894 SF.
PERCENTAGE OF LOT:	8.19%
2ND FAMILY UNIT:	809 SF.
PERCENTAGE OF LOT:	1.10%
REAR PATIO AREA:	470 SF.
PERCENTAGE OF LOT:	0.64%
ENTRANCE:	180 SF.
PERCENTAGE OF LOT:	0.25%
FUTURE SWIMMING POOL:	545 SF.
PERCENTAGE OF LOT:	0.74%
LANDSCAPE:	65,183 SF.
PERCENTAGE:	89.07%

TABULATION

APN NUMBER:	088-44-099
TOTAL ALLOWABLE FLOOR AREA:	6,000 SF
PROPOSED GARAGE AREA:	1,040 SF
PROPOSED FIRST FLOOR AREA:	4,954 SF.
TOTAL FLOOR AREA:	5,994 SF.
TOTAL F.A.R:	8.19%
PROPOSED HEIGHT:	17'-0"
MAXIMUM HEIGHT ALLOWED:	17'-0"

DRAWING INDEX

ARCHITECTURAL

A0	TITLE SHEET
A1	SITE PLAN
A1.1	IMPERVIOUS SURFACE CALCULATION
A2.1	OVERALL FLOOR PLAN PART 1
A2.2	OVERALL FLOOR PLAN PART 2 & SECOND FAMILY UNIT FLOOR PLAN
A2.3	SECOND FAMILY UNIT FLOOR PLAN
A2.3	ROOF PLAN
A3.1	ELEVATIONS
A3.2	DETAILS, ELEVATIONS & ROOF CROSS SECTION
A3.3	VIEW POINT SECTIONS & LINE OF SIGHT
A3.4	LINE OF SIGHT
E1.0	IRRIGATION PLAN
E2.0	PLANTING PLAN
L3.0	LANDSCAPE SPECIFICATIONS
L4.0	LANDSCAPE CONSTRUCTION DETAILS
C-1	GRADING & DRAINAGE PLAN
C-2	ON SITE UTILITY PLAN
C-3	ON SITE CROSS SECTIONS & DETAILS
C-4	PRELIMINARY OFF SITE IMPROVEMENT PLAN
C-5	OFF SITE SANITARY SEWER PROFILE
C-6	EROSION CONTROL

IDA

Innovative Design Architecture, Inc.

JOHN HA, AIA
510 LAWRENCE EXP.
SUITE # 105
SUNNYVALE, CA 94085
TEL: (408) 245-0991
TEL: (408) 245-0319

OWNER:
PHUNG NGUYEN
1671 CANYON VIEW DR.
SAN JOSE, CA 95132
408-926-1625

PHUNG RESIDENCE

1000 PIEDMONT ROAD
MILPITAS, CA 95035

REVISIONS:

- PLANING REVISION 1-09-09
- PLANING REVISION 05-09-06

SHEET TITLE:

DATE: SEPT. 9, 2009 PROJECT NO. 059-873

SCALE: DRAWN: JAH/JS

SHEET:

A-0

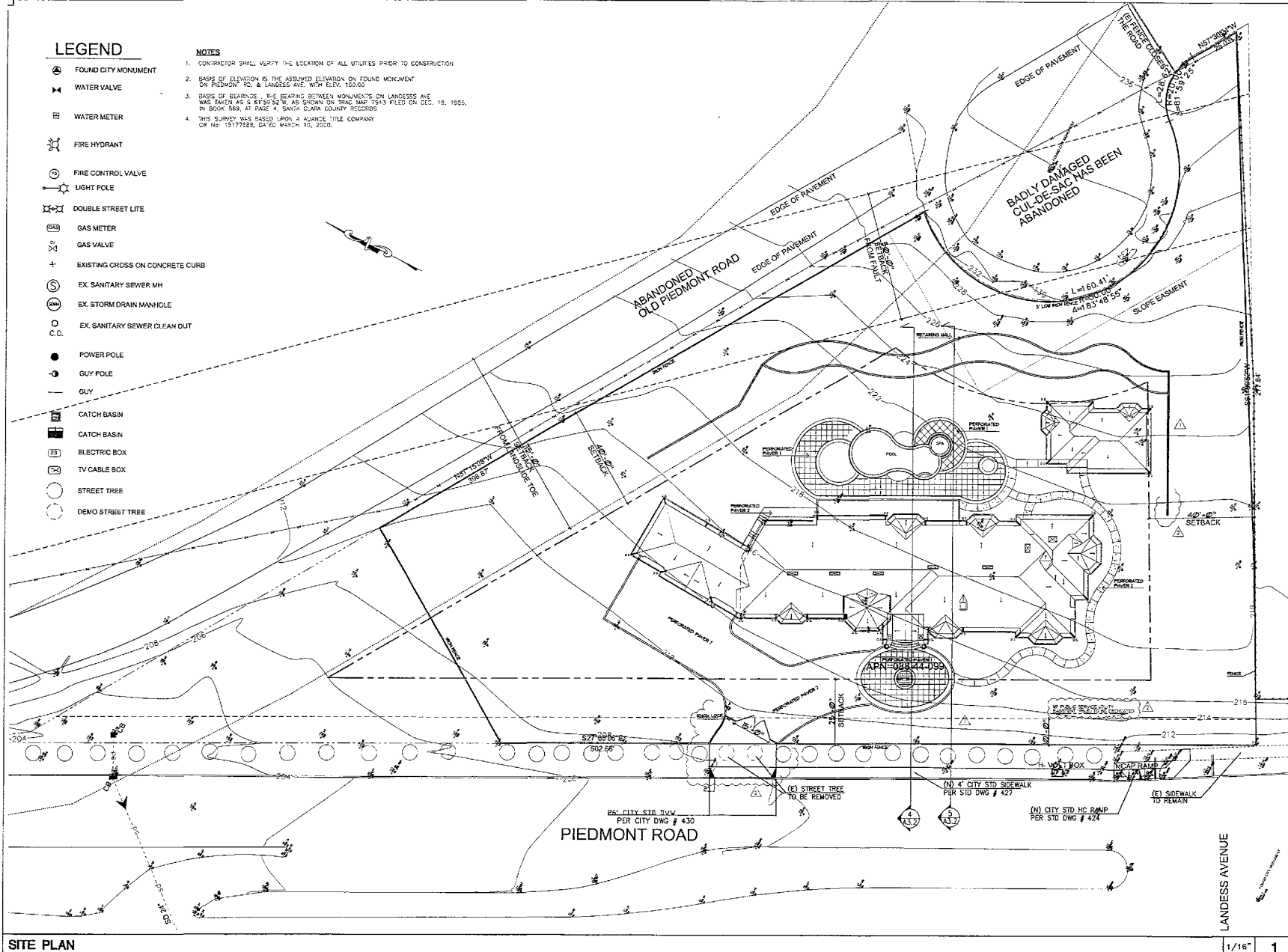
OF SHEETS

LEGEND

- FOUND CITY MONUMENT
- WATER VALVE
- WATER METER
- FIRE HYDRANT
- FIRE CONTROL VALVE
- LIGHT POLE
- DOUBLE STREET LITE
- GAS METER
- GAS VALVE
- EXISTING CROSS ON CONCRETE CURB
- EX. SANITARY SEWER MH
- EX. STORM DRAIN MANHOLE
- EX. SANITARY SEWER CLEAN OUT
- POWER POLE
- GUY POLE
- GUY
- CATCH BASIN
- CATCH BASIN
- ELECTRIC BOX
- TV CABLE BOX
- STREET TREE
- DEMO STREET TREE

NOTES

- CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION
- BASIS OF ELEVATION IS THE ASSUMED ELEVATION ON FOUND MONUMENT ON PIEDMONT RD. & LANDESS AVE. WITH ELEV. 1050.00
- BASIS OF BEARING - THE BEARING BETWEEN MONUMENTS ON LANDESS AVE WAS TAKEN AS S 81°50'52" W. AS SHOWN ON TRAC MAP 7543 FILED ON DEC. 18, 1955. IN BOOK 1469, AT PAGE 4, SANTA CLARA COUNTY RECORDS
- THIS SURVEY WAS BASED UPON A ALANCE TITLE COMPANY CR No. 15177528, DATED MARCH 10, 2020.



Innovative Design Architecture, Inc.

IDA

JOHN HA, AIA
510 LAWRENCE EXP.
SUITE # 105
SUNNYVALE, CA 94085
TEL: (408) 245-0891
TEL: (408) 245-0319

OWNER:
PHUNG NGUYEN
1671 CANYON VIEW DR.
SAN JOSE, CA 95132
408-926-1855

PHUNG RESIDENCE

1000 PIEDMONT ROAD
MILPITAS, CA 95035

REVISIONS:

- △ PLANNING REVISION 11-03-03
- △ PLANNING REVISION 02-03-03

SHEET TITLE:
SITE PLAN

DATE: SEPT. 13, 2005 PROJECT NO: 05-013
SCALE: DRAWN: JH/OU
SHEET: A-1

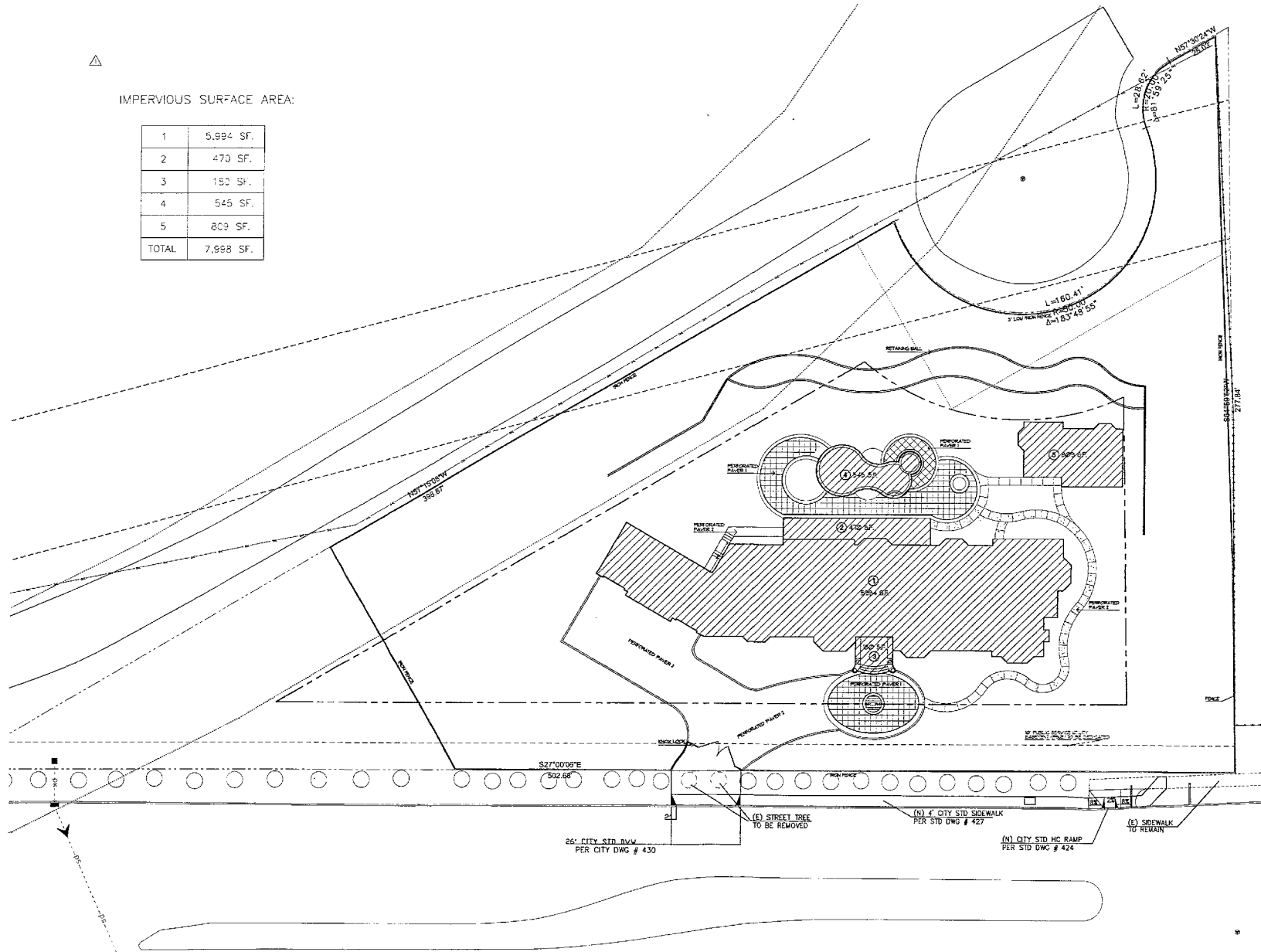
OF SHEETS

SITE PLAN

1/16" 1

IMPERVIOUS SURFACE AREA:

1	5,994 SF.
2	470 SF.
3	180 SF.
4	545 SF.
5	809 SF.
TOTAL	7,998 SF.



Innovative Design Architecture, Inc.

IDA

JOHN HA, AIA
510 LAWRENCE EXP.
SUITE # 105
SUNNYVALE, CA 94085
TEL: (408) 245-0991
TEL: (408) 245-0319

OWNER:
PHUNG NGUYEN
1571 CANYON VIEW DR.
SAN JOSE, CA 95132
408-926-1625

PHUNG RESIDENCE
1000 PIEDMONT ROAD
MILPITAS, CA 95035

REVISIONS:
PLANNING REVISION 1-29-05

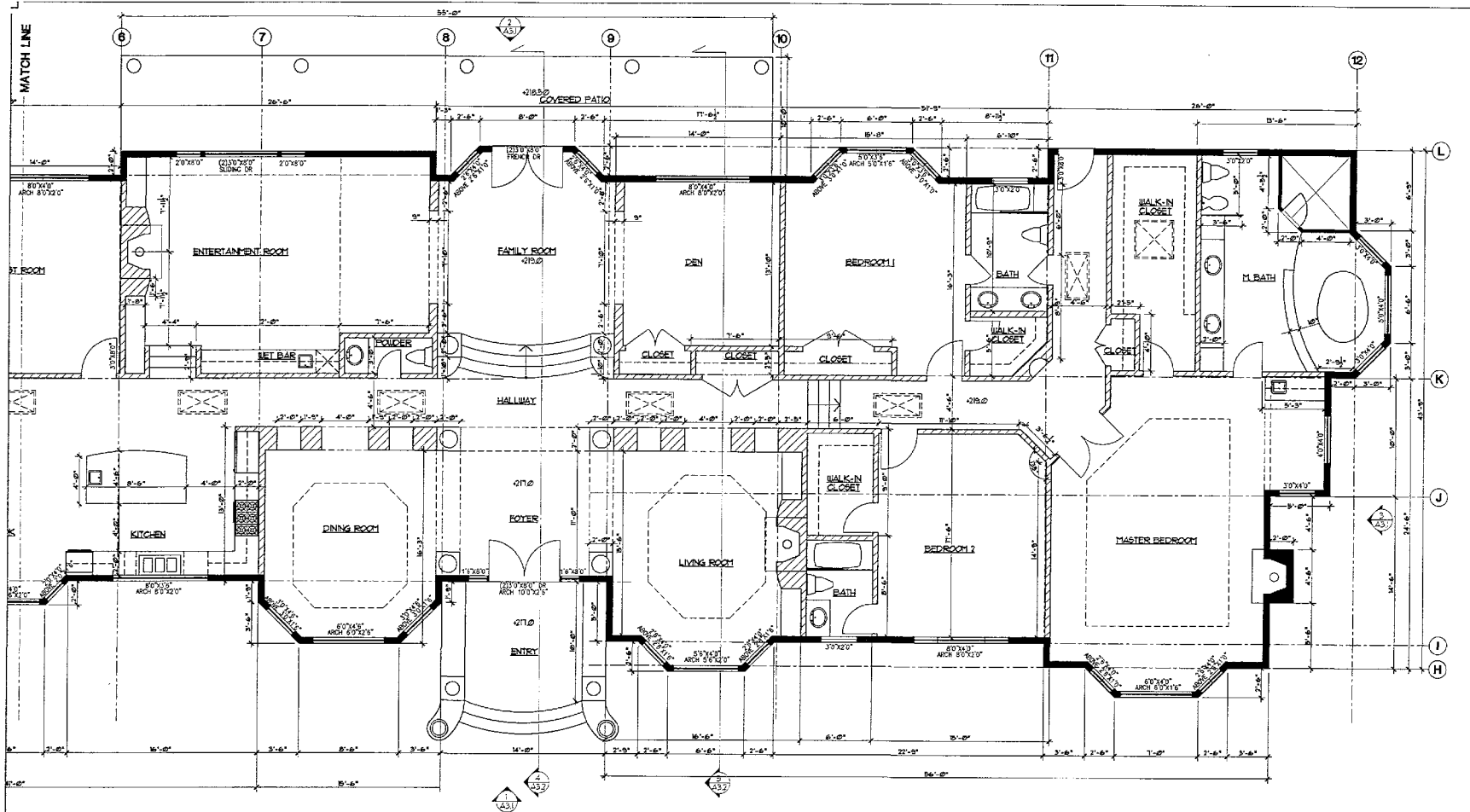
SHEET TITLE:
IMPERVIOUS SURFACE
CALCULATION

DATE: SEPT. 13, 2005 PROJECT NO.: 05-073
SCALE: DRAWN: JH/JAU
SHEET

A-1.1

IMPERVIOUS SURFACE CALCULATION

1/16" 1



LEGEND:

WINDOWS

- 2x4 or 2x6 WOOD STUDS @16" O.C. WITH 1/2" THK. GYP. BD. ON BOTH SIDES
- USC W/8 GREEN GYP. BD. @ 16" O.C. (COX PLYWOOD OVER STUD @ SHEAR WALLS) S.S.D.
- 2x4 OR 2x6 WOOD STUDS @16" O.C. WITH 1/2" THK. GYP. BD. ON INTERIOR SIDE, 7/8" CEMENT PLASTER OVER 2 LAYER GRADE 70" PAPER LATH OR WOOD SIKING OVER 15# BLOC. PAPER OVER 1/2" COX PLYWOOD EXTERIOR SIDE PAINTED. (SEE ELEVATIONS FOR EXTERIOR FINISH)
- 2x4 OR 2x6 WOOD STUDS @16" O.C. WITH 5/8" TYPE 1" GYP. BD. ON BOTH SIDES (1/2" COX PLYWOOD OVER STUD @ SHEAR WALLS)
- * PROVIDE 2x6 @ ALL PLUMBING WALL LOAD BEARING WALL AS INDICATED ON STRUCT. DWG.
- * TYPICAL ALL PLUMBING WALLS BEARING WALLS AND WALL EXCEED 10'-0" HIGH SHALL BE 2x6 STUDS @ 16" O.C.

NOTES:

1. PROVIDE 5/8" TYPE 1" GYP. BD. @ ALL WALLS AND CEILING IN STORAGE RM UNDER STAIR
2. PROVIDE W/8 GREEN GYP. BD. @ AROUND SHOWER, TUBS PER USC CHAPTER 25
3. FURNACE COMBUSTION AIR TO COMPLY WITH 802 USC
4. WATER HEATER / FURNACE SHOULD BE STRAPPED & BASED +16" OFF THE FLOOR PER UPC / UMC
5. THE CEILING IN GARAGE AND FURNACE AND FLUES SHALL COMPLY WITH USC CHAPTER 3
6. VENTILATION @ LAUNDRY & WATER CLOSET ROOM TO COMPLY WITH USC CHAPTER 3

7. ALL ESCAPE WINDOWS TO COMPLY USC 310.4
8. EXTERIOR CONCRETE LANDING TO COMPLY USC 1902
9. ATTIC VENTILATION TO COMPLY USC 1505
10. CRAWL SPACE VENTILATION TO COMPLY USC 2317.7
11. FIRE PLACE TO COMPLY ICBO #3507 FM
12. ALL BATH ROOM LIGHTS SHALL BE FLUORESCENT LIGHTS
13. ALL SHOWER OR TUB GLASS DOOR SHALL BE TEMPERED GLASS

All escape or rescue windows shall have a minimum net clear openable area of 5.7 square feet. The minimum net clear openable height dimension shall be 24". The minimum net clear openable width dimension shall be 20". When windows are provided as a means of escape or rescue they shall have a finished sill height not more than 44 inches above the floor.

FLOOR PLAN PART 1

1/4" 1

Innovative Design Architecture, Inc.

IDA

JOHN HA, AIA
510 LAWRENCE EXP.
SUITE # 105
SUNNYVALE, CA 94085
TEL: (408) 245-0991
TEL: (408) 245-0319

OWNER:
PHUNG NGUYEN
1671 CANYON VIEW DR.
SAN JOSE, CA 95132
408-925-1625

PHUNG RESIDENCE

1000 PIEDMONT ROAD
MILPITAS, CA 95035

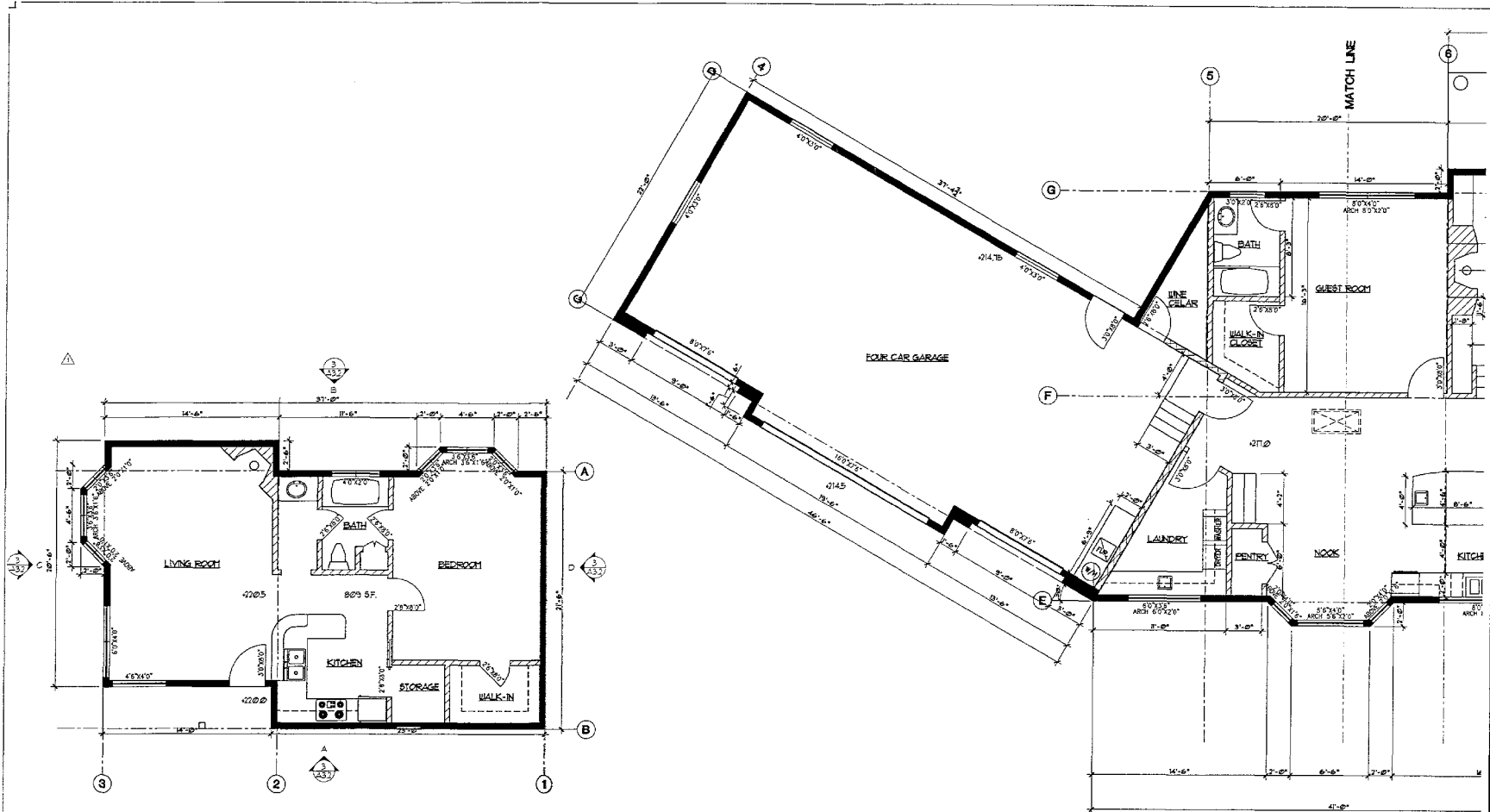
REVISIONS:

SHEET TITLE
FLOOR PLAN 1

DATE: SEP 13, 2005 PROJECT NO: 05-073
SCALE: DRAWN: JH/AU
SHEET

A-21

OF SHEETS



LEGEND:

WINDOWS

- 2x4 or 2x6 WOOD STUDS @16" O.C. WITH 1/2" THK. GYP. BD. ON BOTH SIDES USE W/4 GREEN GYP. BD. @ MET WALLS (2x6 PLANK OVER STUD @ SHEAR WALLS) S.S.D.
- 2x4 OR 2x6 WOOD STUDS @16" O.C. WITH 1/2" THK. GYP. BD. ON INTERIOR SIDE, 7/8" CEILING PLASTER OVER 2 LAYER GRADE 10" PAPER LATH OR WOOD SCANG OVER 1/8" REG. PAPER OVER 1/2" GSI PLANK. EXTERIOR SIDE PAINTED. (SEE ELEVATIONS FOR EXTERIOR FINISH)
- 2x4 OR 2x6 WOOD STUDS @16" O.C. WITH 5/8" TYPE "X" GYP. BD. ON BOTH SIDES (1/2" COX PLANK OVER STUD @ SHEAR WALLS)

- * PROVIDE 2x6 @ ALL PLUMBING WALL LOAD BEARING WALL AS INDICATED ON STRUCT. DWG.
- * TYPICAL ALL PLUMBING WALLS BEARING WALLS AND WALL EXCEED 10'-0" HIGH SHALL BE 2x6 STUDS @ 16" O.C.

NOTES:

- PROVIDE 5/8" TYPE "X" GYP. BD. @ ALL WALLS AND CEILING IN STORAGE RM UNDER STAIR
- PROVIDE W/4 GREEN GYP. BD. @ AROUND SHOWER, TUBS PER UBC CHAPTER 25
- FURNACE COMBUSTION AIR TO COMPLY WITH 502 UMC
- WATER HEATER / FURNACE SHOULD BE STRAPPED & RAISED "H" OFF THE FLOOR PER UBC / UMC
- THE CEILING IN GARAGE AND FURNACE AND FLUES SHALL COMPLY WITH UBC CHAPTER 3
- VENTILATION @ LAUNDRY & WATER CLOSET ROOM TO COMPLY WITH UBC CHAPTER 3
- ALL ESCAPE WINDOWS TO COMPLY UBC 310.4
- EXTERIOR CONCRETE LANDING TO COMPLY UBC 1902
- ATC VENTILATION TO COMPLY UBC 1505
- CRAWL SPACE VENTILATION TO COMPLY UBC 2317.7
- FIRE PLACE TO COMPLY ICBO #3507 FM
- ALL BATH ROOM LIGHTS SHALL BE FLUORESCENT LIGHTS
- ALL SHOWER OR TUB GLASS DOOR SHALL BE TEMPERED GLASS

All escape or rescue windows shall have a minimum net clear openable area of 5.7 square feet. The minimum net clear openable height dimension shall be 24". The minimum net clear openable width dimension shall be 20". When windows are provided as a means of escape or rescue they shall have a finished sill height not more than 44 inches above the floor

FLOOR PLAN PART 2

1/4" 1

IDA
Innovative Design Architecture, Inc.
JOHN HA, AIA
510 LAWRENCE EXP.
SUITE # 105
SUNNYVALE, CA 94085
TEL: (408) 245-0991
TEL: (408) 245-0319

OWNER:
PHUNG NGUYEN
1671 CANYON VIEW DR.
SAN JOSE, CA 95132
408-525-1625

PHUNG RESIDENCE
1000 PIEDMONT ROAD
MILPITAS, CA 95035

REVISIONS:

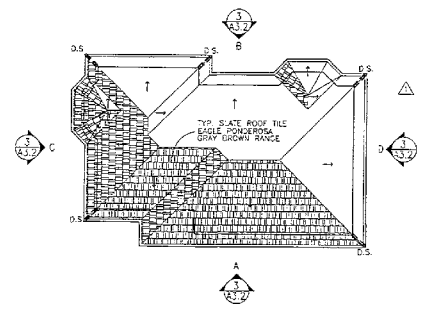
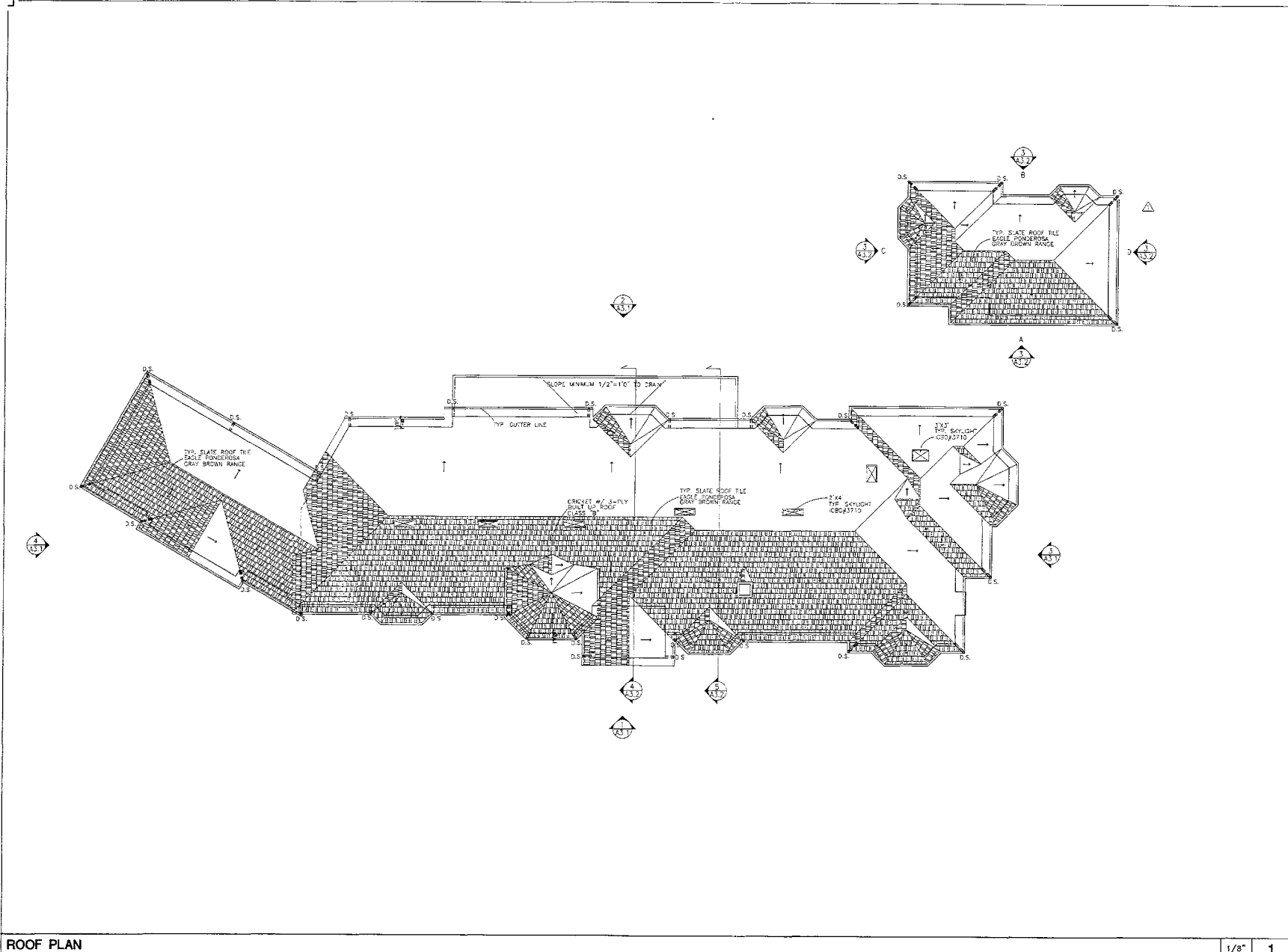
PLANNING REVISION 11-03-05

SHEET TITLE:
FLOOR PLAN 2

DATE: SEPT. 13, 2005 PROJECT NO.: 05-075
SCALE: DRAWN: JAU
SHEET:

A-2.2

OF SHEETS



Innovative Design Architecture, Inc.



JOHN HA, AIA
 510 LAWRENCE EXP.
 SUITE # 105
 SUNNYVALE, CA 94085
 TEL: (408) 245-0991
 TEL: (408) 245-0319

OWNER:
PHUNG NGUYEN
 1871 CANYON VIEW DR.
 SAN JOSE, CA 95132
 408-926-1625

PHUNG RESIDENCE
 1000 PIEDMONT ROAD
 MILPITAS, CA 95035

REVISIONS:

△ PLANNING REVISION 1-09-05

SHEET TITLE:
ROOF PLAN

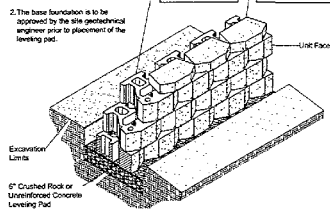
DATE SEPT. 13, 2005	PROJECT NO. 05-013
SCALE -	DRAWN JAU
SHEET	

A-2.3

Base Leveling Pad Notes:

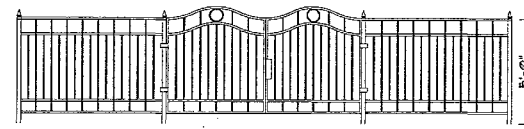
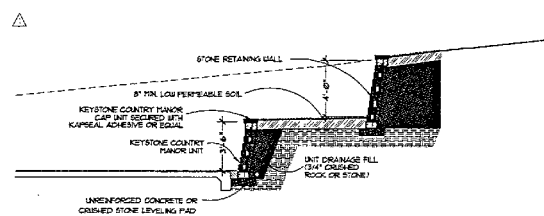
1. The leveling pad is to be constructed of crushed stone or 2,000 psi unreinforced concrete.
2. The base foundation is to be approved by the site geotechnical engineer prior to placement of the leveling pad.

Standard Unit	Cast Unit
Width: 18"	Width: 18"
Height: 18"	Depth: 10 1/2"
Weight: 172 lbs	Weight: 45 lbs



Standard Unit/Base Pad Isometric Section View

*Dimensions & Weight May Vary by Region

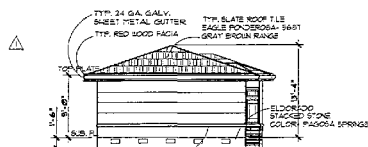


ENLARGED STEP RETAINING WALL AND ISOMETRIC VIEW

1/4" 2

IRON FENCE AND GATE

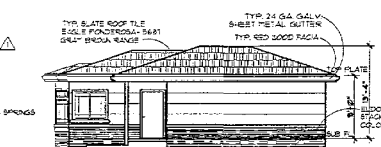
3/8" 1



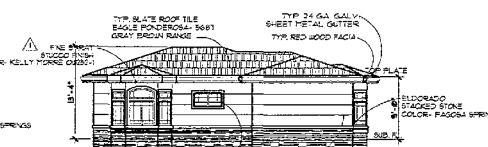
D-RIGHT ELEVATION



C-LEFT ELEVATION



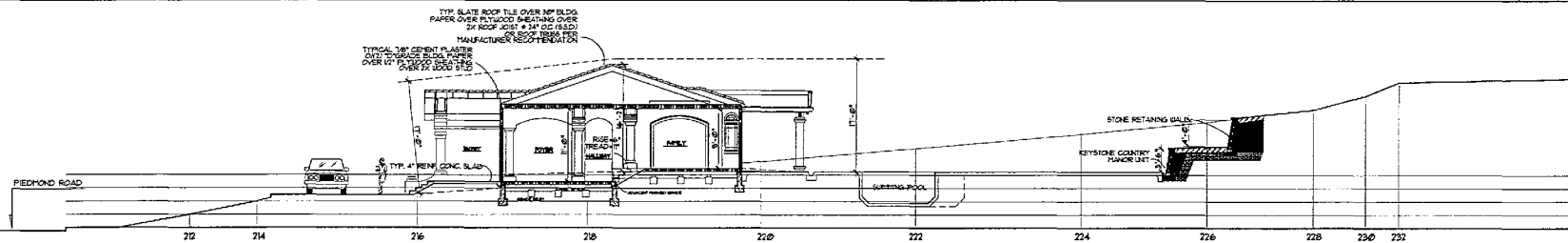
B-FRONT ELEVATION



A-REAR ELEVATION

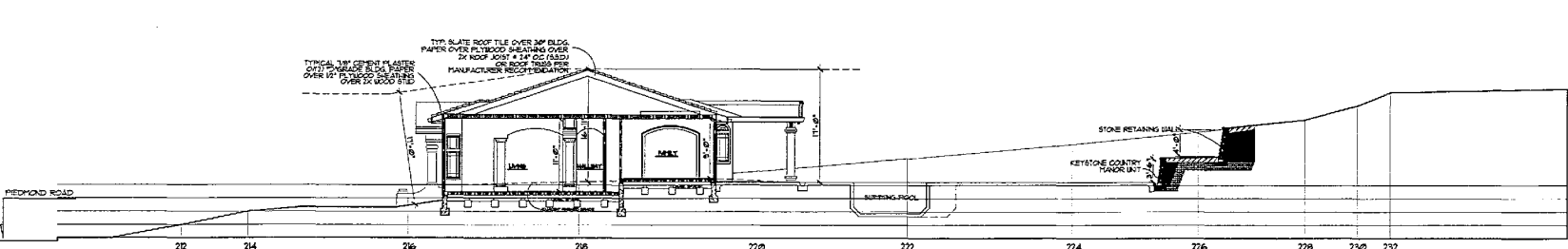
SECOND FAMILY HOUSE ELEVATIONS

1/8" 3



ROOF CROSS SECTION

1/8" 4



ROOF CROSS SECTION

1/8" 5

Innovative Design Architecture, Inc.

IDA

JOHN H.A. AIA
510 LAWRENCE EXP.
SUITE # 105
SUNNYVALE, CA 94085
TEL: (408) 245-0941
TEL: (408) 245-0319

OWNER:
PHUNG NGUYEN
1571 CANYON VIEW DR.
SAN JOSE, CA 95132
408-926-1625

PHUNG RESIDENCE

1000 PIEDMONT ROAD
MILPITAS, CA 95035

REVISION:

△ PLANNING REVISION 1-03-05
△ PLANNING REVISION 02-03-06

SHEET TITLE:
ELEVATIONS &
SECTION

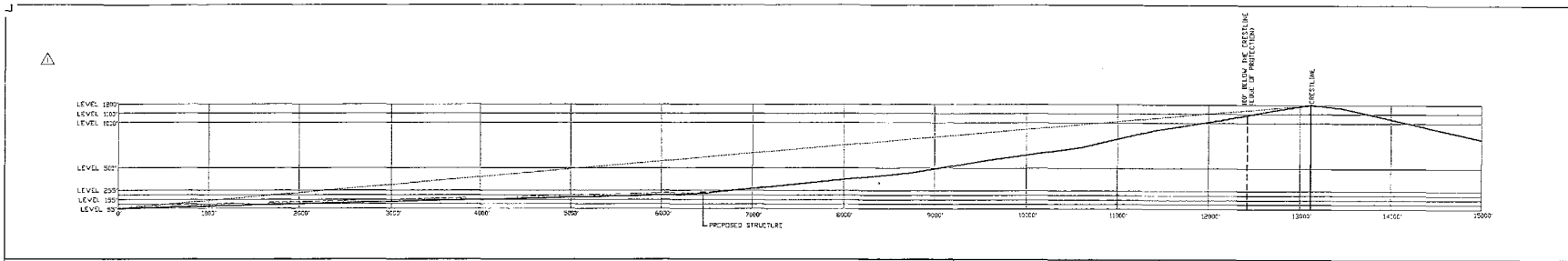
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SCALE: DRAWN: JAV/J

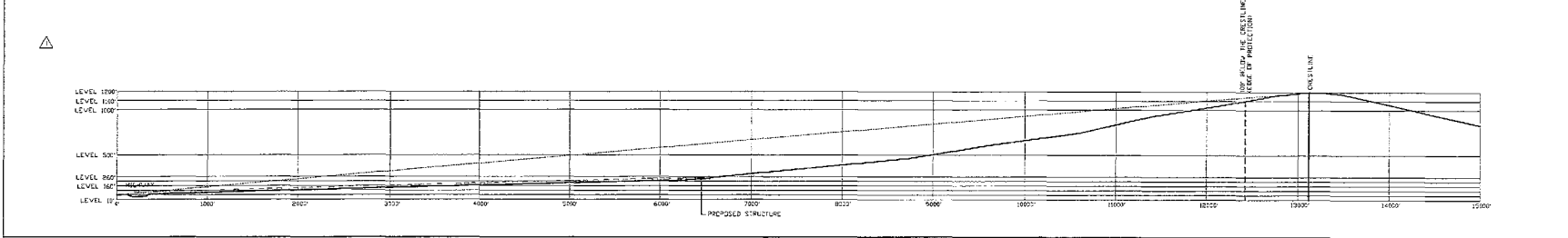
SHEET

A-3.2

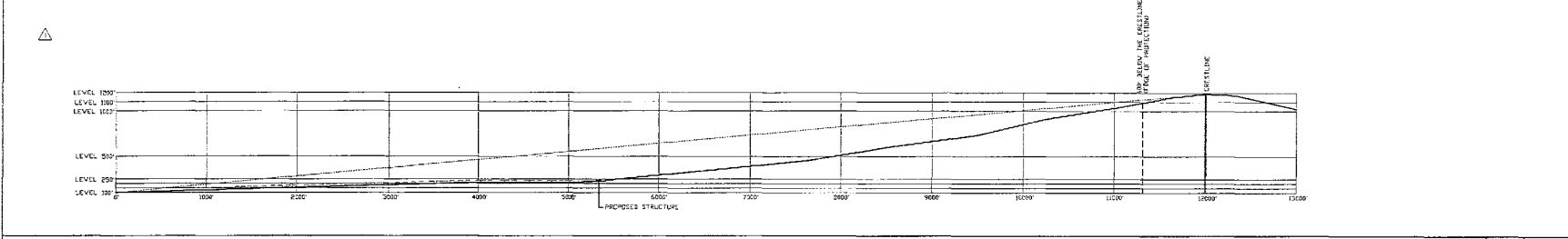
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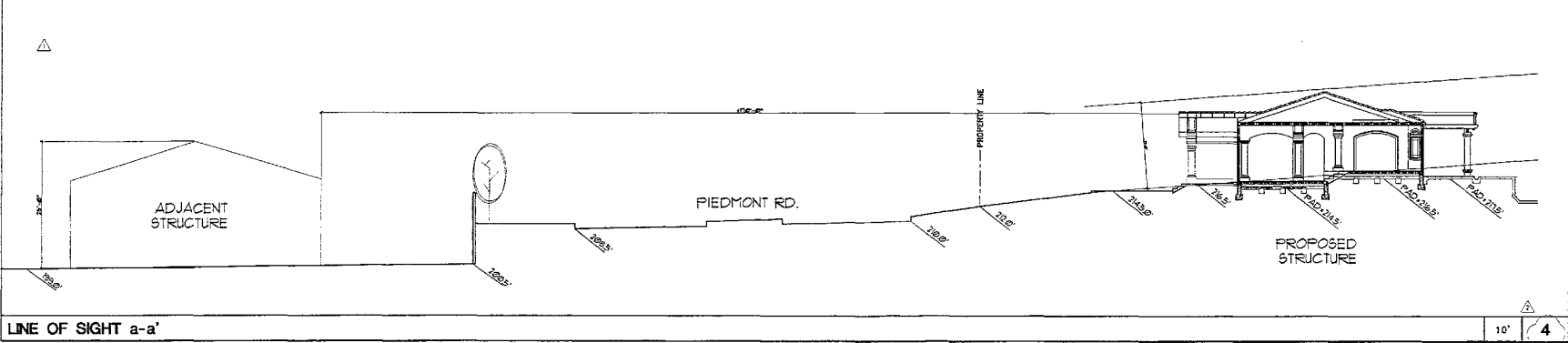
VIEW POINT 7 SECTION 300' 1



VIEW POINT 8 SECTION 300' 2



VIEW POINT 9 SECTION 300' 3



LINE OF SIGHT a-a' 10' 4

IDA
Innovative Design Architecture, Inc.

JOHN H.A. AIA
512 LAWRENCE EXP.
SUITE # 105
SUNNYVALE, CA 95088
TEL: (408) 245-0991
TEL: (408) 245-0319

OWNER:
PHUNG NGUYEN
1671 CANYON VIEW DR.
SAN JOSE, CA 95132
408-925-1625

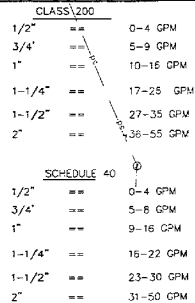
PHUNG RESIDENCE
1000 PIEDMONT ROAD
MILPITAS, CA 95035

REVISIONS:

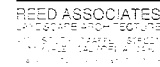
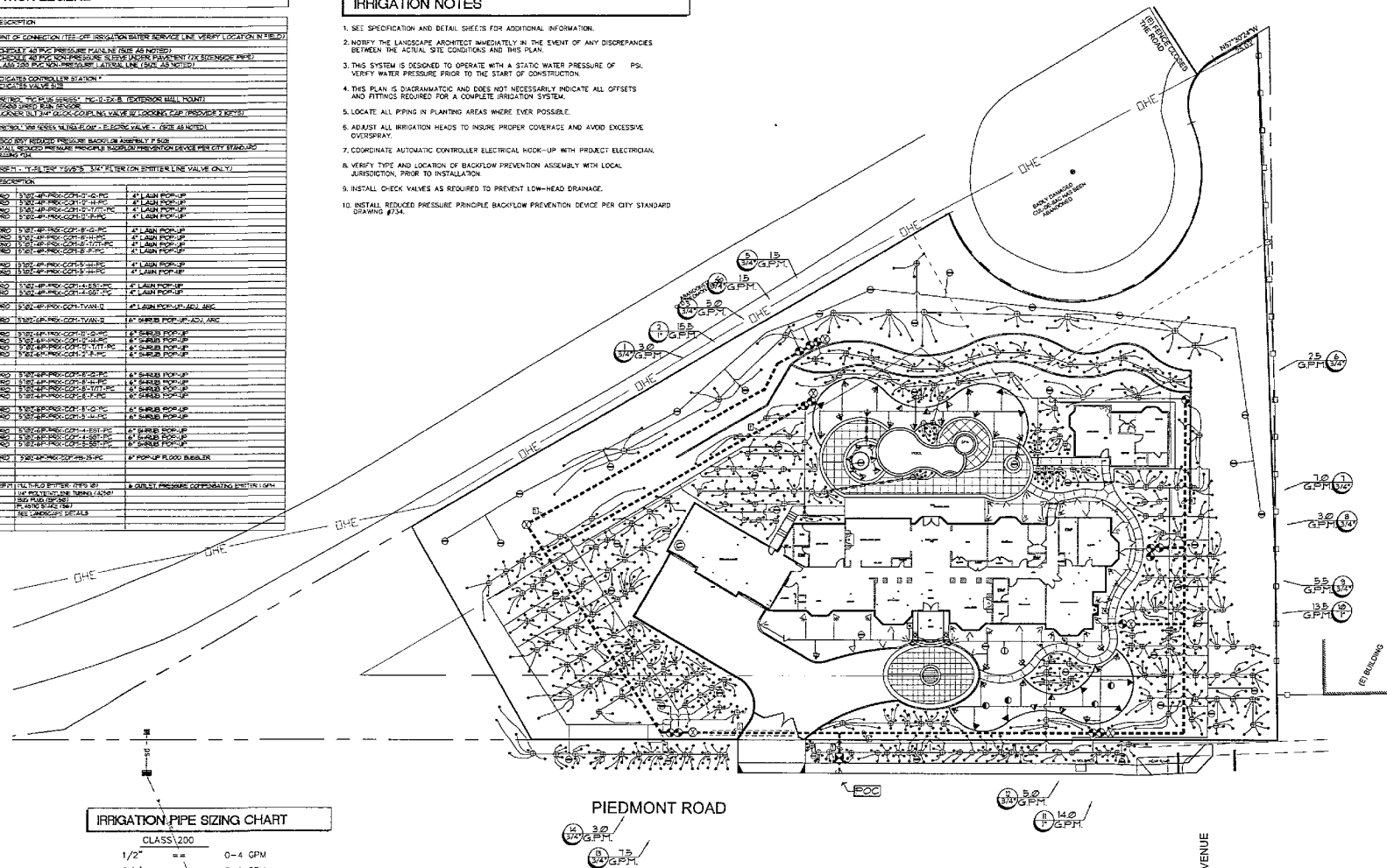
△ PLANNING REVISION 01-23-03
△ PLANNING REVISION 01-23-04
SHEET TITLE: VIEW POINT SECTIONS
DATE: 09-13-05 PROJECT NO: 05-013
SCALE: 1"=40' DRAWN: JACU
SHEET: A-3.3
OF SHEETS: 4

[illegible]

3. SEE SPECIFICATION AND DETAIL SHEETS FOR ADDITIONAL INFORMATION.
4. NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY IN THE EVENT OF ANY DISCREPANCIES BETWEEN THE ACTUAL SITE CONDITIONS AND THIS PLAN.
5. THIS SYSTEM IS DESIGNED TO OPERATE WITH A STATIC WATER PRESSURE OF _____ PSI.
VERY WATER PRESSURE PRIOR TO THE START OF CONSTRUCTION.
6. THIS PLAN IS DIAGNOSTIC AND DOES NOT NECESSARILY INDICATE ALL OFFSETS AND FITTINGS REQUIRED FOR A COMPLETE IRRIGATION SYSTEM.
7. LOCATE ALL PIPING IN PLANTING AREAS WHERE EVER POSSIBLE.
8. ADJUST ALL IRRIGATION HEADS TO INSURE PROPER COVERAGE AND AVOID EXCESSIVE OVERSPRAY.
9. COORDINATE AUTOMATIC CONTROLLER ELECTRICAL Hook-UP WITH PROJECT ELECTRICIAN.
10. VERIFY TYPE AND LOCATION OF BACKFLOW PREVENTION ASSEMBLY WITH LOCAL JURISDICTION, PRIOR TO INSTALLATION.
11. INSTALL CHECK VALVES AS REQUIRED TO PREVENT LOW-HEAD DRAINAGE.
DRAINING 4" AND
12. INSTEAD, REDUCED PRESSURE PRINCIPLE BACKFLOW PREVENTION DEVICE PER CITY STANDARD.



28,668 SQUARE FEET TOTAL LANDSCAPE WITH IRRIGATION
49,856 GALLONS PER YEAR FOR ESTABLISHED PLANT MATERIAL.



1671 CANYON VIEW DR.
SAN JOSE, CA 95132

ISSUE	DATE




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Approved	pjr	Reviewed	pjr
Drawn	DGS		
Project No.	03.xx		
Scale	1"=20'	Issue Date	7/28/05

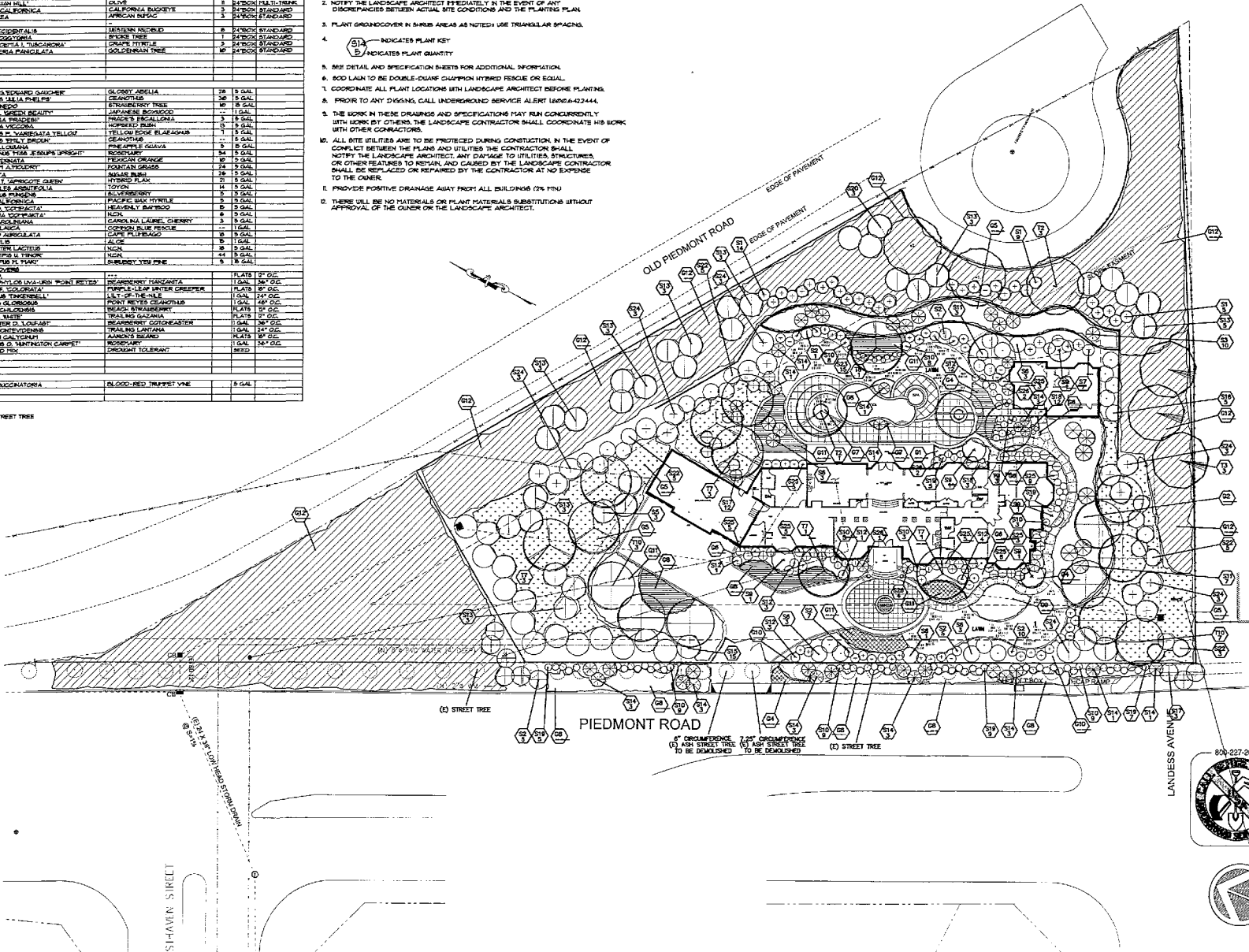
L1.0

PLANT LIST:			
REF.	SYMBOLICAL NAME	COMMON NAME	QTY, I. SIZE, REMARKS
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11	SCOTCH BROOM	SCOTCH BROOM	4 2"X10" STANDARD
12	SCOTCH BROOM	SCOTCH BROOM	4 2"X10" STANDARD
13	SCOTCH BROOM	SCOTCH BROOM	4 2"X10" STANDARD
14	SCOTCH BROOM	SCOTCH BROOM	4 2"X10" STANDARD
15	SCOTCH BROOM	SCOTCH BROOM	4 2"X10" STANDARD
16	SCOTCH BROOM	SCOTCH BROOM	4 2"X10" STANDARD
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19	SCOTCH BROOM	SCOTCH BROOM	4 2"X10" STANDARD
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47	SCOTCH BROOM	SCOTCH BROOM	4 2"X10" STANDARD
48	SCOTCH BROOM	SCOTCH BROOM	4 2"X10" STANDARD
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99	SCOTCH BROOM	SCOTCH BROOM	4 2"X10" STANDARD
100	SCOTCH BROOM	SCOTCH BROOM	4 2"X10" STANDARD

PLANT NOTES:

1. THE CONTRACTOR SHALL VERIFY PLANT QUANTITIES FROM THE PLANTING PLAN. QUANTITIES SHOWN IN THE LEGEND ARE FOR CONFORMANCE ONLY.
2. NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY IN THE EVENT OF ANY DISCREPANCIES BETWEEN ACTUAL SITE CONDITIONS AND THE PLANTING PLAN.
3. PLANT GROUNDCOVER IN SURVEY AREAS AS NOTED USE TRIANGULAR SPACING.
4.  INDICATES PLANT KEY.
5. SEE DETAIL AND SPECIFICATION SHEETS FOR ADDITIONAL INFORMATION.
6. SOIL LAM TO BE DOUBLE-SHADE CLAYTON HYBRID FENCE OR EQUAL.
7. COORDINATE ALL PLANT LOCATIONS WITH LANDSCAPE ARCHITECT BEFORE PLANTING.
8. PRIOR TO ANY DRAINAGE, CALL UNDERGROUND SERVICE ALERT (800) 424-4444.
9. THE WORK IN THESE DRAWINGS AND SPECIFICATIONS MAY RUN CONCURRENTLY WITH WORK BY OTHERS. THE LANDSCAPE CONTRACTOR SHALL COORDINATE HIS WORK WITH OTHER CONTRACTORS.
10. ALL SITE UTILITIES ARE TO BE PROTECTED DURING CONSTRUCTION. IN THE EVENT OF CONFLICT BETWEEN THE PLANS AND UTILITIES THE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT. ANY DAMAGE TO UTILITIES, STRUCTURES, OR OTHER FEATURES TO REMAIN, AND CAUSED BY THE LANDSCAPE CONTRACTOR SHALL BE REPLACED OR REPAIRED BY THE CONTRACTOR AT NO EXPENSE TO THE OWNER.
11. PROVIDE POSITIVE DRAINAGE AWAY FROM ALL BUILDINGS (2% MIN).
12. THERE SHALL BE NO MATERIALS OR PLANT MATERIALS SUBSTITUTIONS WITHOUT APPROVAL OF THE OWNER OR THE LANDSCAPE ARCHITECT.

EXISTING STREET TREE



REED ASSOCIATES
LANDSCAPE ARCHITECTURE
471 SOUTH TAMER STREET
SUNNYVALE, CALIFORNIA 94088
408.481.3020 / 408.481.8222 FAX
web: www.reed.net / email: reed@reed.net



PHUNG NGUYEN RESIDENCE

1671 CANYON VIEW DR.
SAN JOSE, CA 95132

ISSUE	DATE



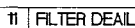
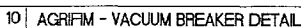
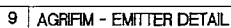
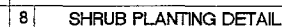
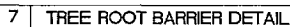
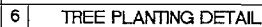
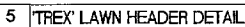
OWNERSHIP AND USE OF DOCUMENTS
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Approved: 
Drawn: BGS Reviewed: 
Project No. 03.xx
Scale: 1"=20' ssaa Date: 7/28/05

PLANTING PLAN

L2.0

Sheet of



LEGEND

EXISTING	PROPOSED	DESCRIPTION
		PROPERTY LINE
		CONTOUR
		WATER LINE
		STORM DRAIN LINE
		SANITARY SEWER LINE
		OVERHEAD UTILITIES WITH POLE
		GAS LINE
		STREET LIGHT VAULT
		SANITARY SEWER CLEANOUT
		MANHOLE
		CONCRETE MONUMENT IN WELL
		ELECTROLUX
		WATER METER
		TREE WITH TRUNK
		6' WOODEN FENCE
		SPOT ELEVATION
		EARTH SWALE, 1% MIN. AROUND HOUSE
		AREA DRAIN/ INLET
		OVERLAND RELEASE PATH
		GRADE TO DRAIN, 2% MIN. AWAY FROM HOUSE
		1% MIN. FROM PROPERTY LINE TO SWALE

ABBREVIATIONS

A.B.	AGGREGATE BASE	G	GRADE
AC	ASPHALT CONCRETE	GB	GRADE BREAK
AD	AREA DRAIN	OFF	FINISH GRADE AT FRONT OF GARAGE
BDW	GRADE AT BOTTOM OF WALL	HP	HIGH POINT
C	CONCRETE	INV	INVERT
CB	CATCH BASIN	NEW	NEW
CL	CHAIN LINK	P	PIVOT
CFF	FINISH GRADE AT BACK OF GARAGE	PCC	PORTLAND CEMENT CONCRETE
CMB	CONCRETE MASONRY BLOCK	TG	TOP OF CURB
CPD	CORRUGATED PLASTIC PIPE	TQ	TOP OF GRADE
CRB-OP	CURB OPENING	TOS	TOP OF SLOPE
CRW	DRIVEWAY	TOW	TOP OF WALL
(E)	EXISTING	S.C.V.W.D.	SANTA CLARA VALLEY WATER DISTRICT
FF	FINISH FLOOR	SSB	SIDE SETBACK
FG	FINISH GRADE	SSCO	SANITARY SEWER CLEAN OUT
FL	FLOW LINE	SID	SUBDRAIN PIPE
		W.K.	WALKWAY

SHEET INDEX:

- C-1 GRADING AND DRAINAGE PLAN
- C-2 ON SITE UTILITY PLAN
- C-3 ON SITE CROSS SECTIONS, DETAILS
- C-4 PRELIMINARY OFF SITE IMPROVEMENT PLAN
- C-5 OFF SITE SANITARY SEWER PROFILE
- C-6 EROSION CONTROL

(N) FENCE NOTE:

UP HILL PROPERTY FENCES NEXT TO THE CUL-DE-SAC AND OLD PIEDMONT ROAD SHOULD NOT BLOCK THE NATURAL WATER FLOW. PROVIDE 6" CLEARANCE FROM ORIGINAL GROUND TO THE BOTTOM OF THE NEW FENCE. USE HOT DEEP GALVANIZED CHAIN LINK/ WIRE MESH AT THE BOTTOM OF FENCE TO PREVENT PETS AND SMALL ANIMALS.

NOTES

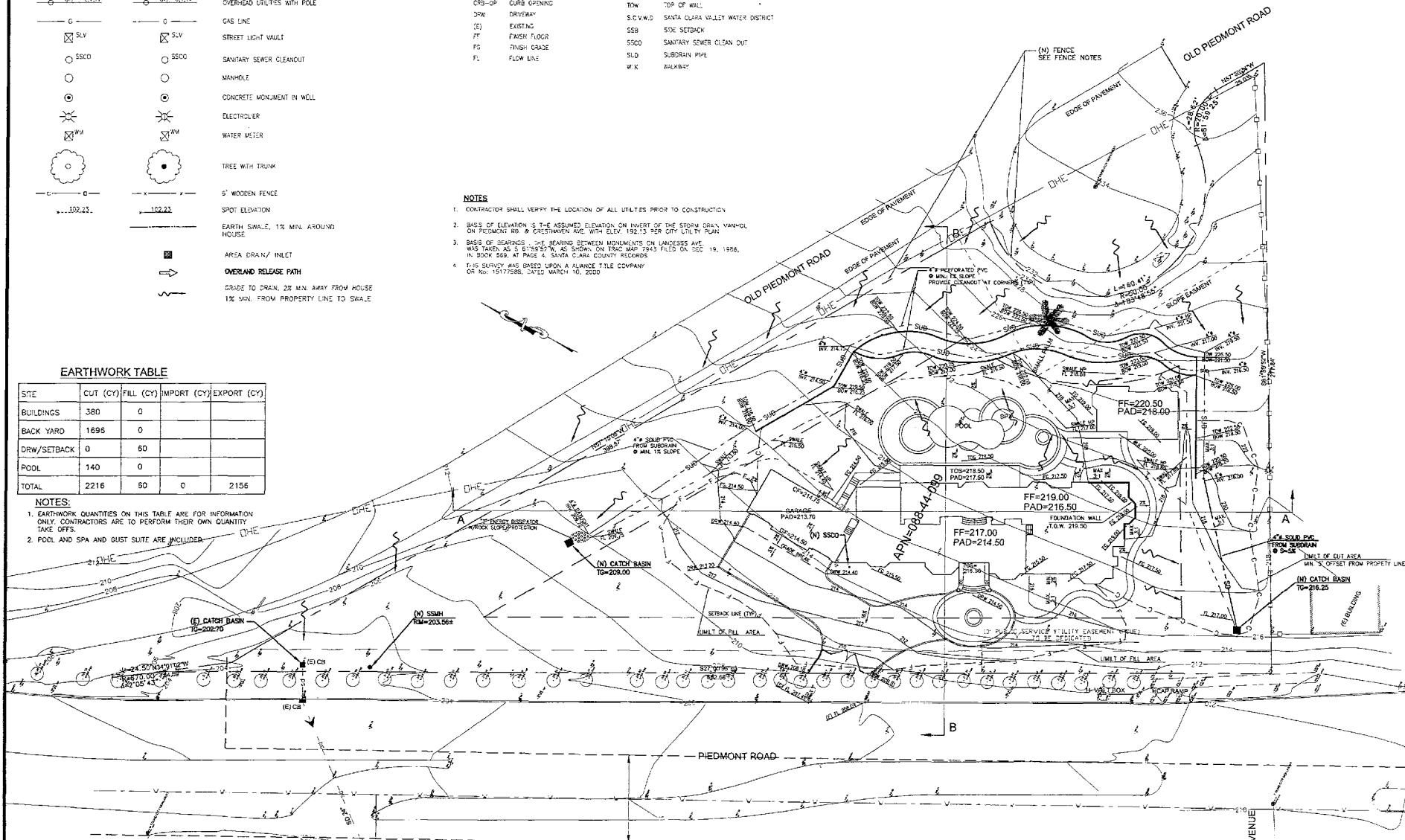
- CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION.
- BASES OF ELEVATION IS THE ASSUMED ELEVATION ON INVERT OF THE STORM DRAIN VAHOL ON PIEDMONT RD. & KRESTHAVEN AVE. WITH ELEV. 192.13 PER CITY UTILITY PLAN.
- BASIS OF BEARINGS: THE BEARING BETWEEN MONUMENTS ON LANDRESS AVE. WAS TAKEN AS S. 61°18'57" E. AS SHOWN ON TRAC MAP 1943 FILED ON DEC. 19, 1988, IN BOOK 869, AT PAGE 4, SANTA CLARA COUNTY RECORDS.
- THIS SURVEY WAS BASED UPON A ALANCE TITLE COMPANY OR NO. 15177588, DATED MARCH 10, 2000.

EARTHWORK TABLE

SITE	CUT (CY)	FILL (CY)	IMPORT (CY)	EXPORT (CY)
BUILDINGS	380	0		
BACK YARD	1695	0		
DRW/SETBACK	0	60		
POOL	140	0		
TOTAL	2216	60	0	2156

NOTES:

- EARTHWORK QUANTITIES ON THIS TABLE ARE FOR INFORMATION ONLY. CONTRACTORS ARE TO PERFORM THEIR OWN QUANTITY TAKE OFFS.
- POOL AND SPA AND GUEST SUITE ARE INCLUDED.



1534 CAROL LANE
LOS ALITOS, CA 94024
TEL: (650) 941-5054
FAX: (650) 941-3755
E-MAIL: SAMP@SMPENGINEERS.COM
YAHOO.COM

OWNER:
JACK PECKHAM
6883 CRYSTAL SPRING DR.
SAN JOSE, CA 95120

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SMP COMPANY
CIVIL ENGINEERS

PHUNG RESIDENCE
1000 PIEDMONT ROAD
MILPITAS, CA 95035

GRADING AND DRAINAGE PLAN

Revisions:

Date: FEBRUARY 20, 2006

Scale: 1" = 20'

Designed by: S.R.

Drawn by: AM

Job #: 25111

Sheet:

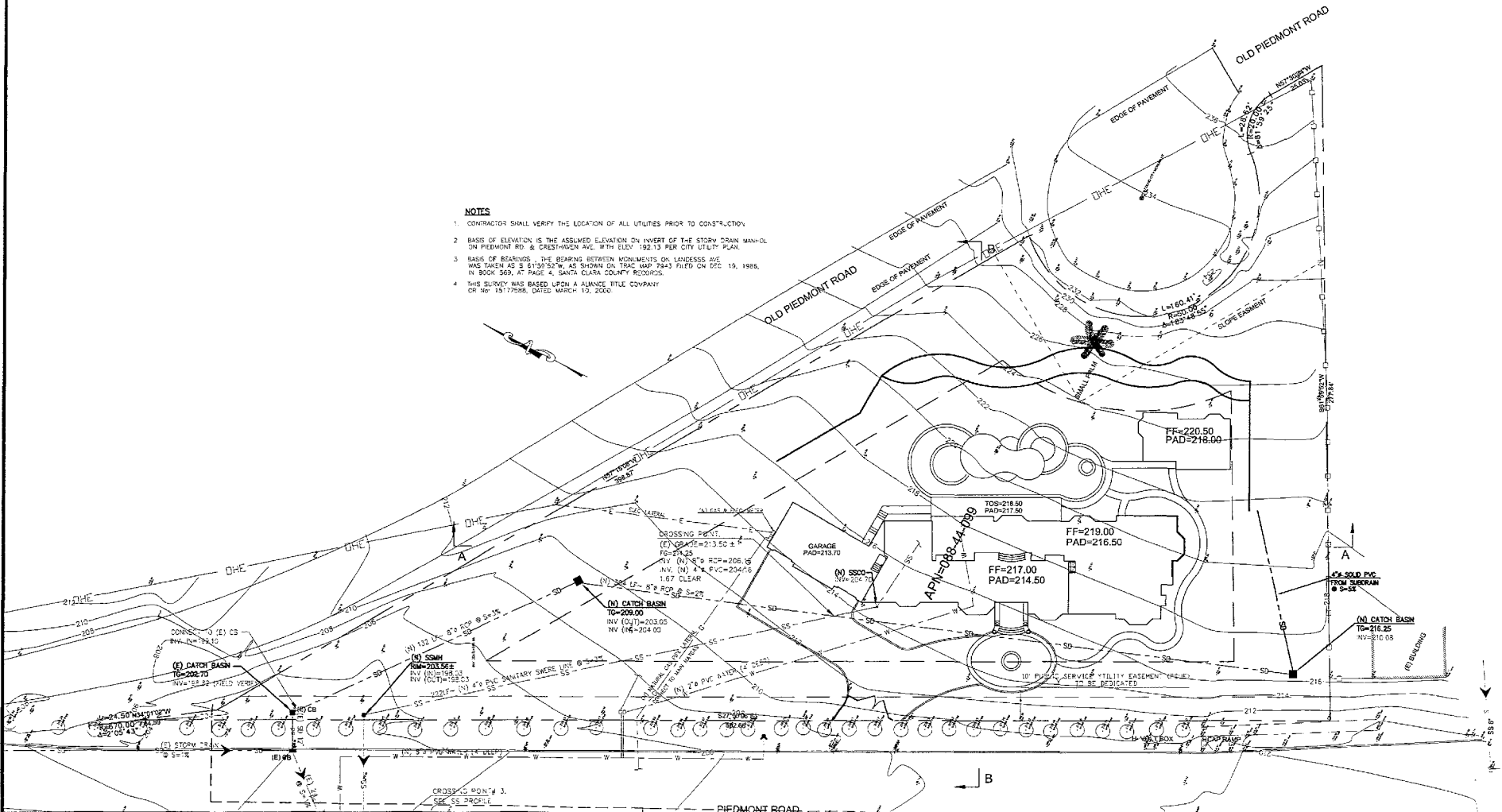
C-1

UTILITY NOTES:

1. CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION.
2. CONNECT SANITARY SEWER AND WATER LINES TO EXISTING STREET LATERALS.
3. CONNECT GAS AND ELECTRIC LINES TO EXISTING STREET LATERALS, PER PG&E STANDARDS.
4. CONTRACTOR SHALL COORDINATE ANY DISRUPTIONS TO EXISTING UTILITY SERVICES WITH ADJACENT PROPERTY OWNERS.
5. ALL ELECTRIC, TELEPHONE AND GAS EXTENSIONS INCLUDING SERVICE LINES SHALL BE CONSTRUCTED TO THE APPROPRIATE UTILITY COMPANY SPECIFICATIONS. ALL UTILITY DISCONNECTIONS SHALL BE COORDINATED WITH THE DESIGNATED UTILITY COMPANIES.
6. PRIOR TO THE CONSTRUCTION OF OR CONNECTION TO ANY STORM DRAIN, SANITARY SEWER, WATER MAIN OR ANY OF THE DRY UTILITIES, THE CONTRACTOR SHALL EXCAVATE, VERIFY AND CALCULATE ALL POINTS OF CONNECTION AND ALL UTILITY CROSSING AND INFORM THE OWNER/

NOTES

1. CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION.
2. BASE OF ELEVATION IS THE ASSUMED ELEVATION ON INVERT OF THE STORM DRAIN MAIN-OL ON PIEDMONT RD. & CRESTHAVEN AVE. WITH ELEV. 195.13 PER CITY UTILITY PLAN.
3. BASE OF BEARINGS - THE BEARING BETWEEN MONUMENTS ON LANDCESS AVE WAS TAKEN AS $\pm 61^{\circ}30'52''$ W, AS SHOWN ON TRAC MAP 7943 FILED ON DEC. 19, 1988, IN BOOK 269, AT PAGE 4, SANTA CLARA COUNTY RECORDS.
4. THIS SURVEY WAS BASED UPON A ALANCE TITLE COMPANY OR NO. 15177598, DATED MARCH 19, 2000.



SMP



ENGINEERS, L.L.C.
CIVIL ENGINEERS

1534 CAROL LANE
LOS ALTOS, CA 94024
TEL: (650) 941-8055
FAX: (650) 941-8755
E-MAIL: SMPENGINEERS@YAHOO.COM

OWNER:

JACK PEDDAM
6863 CRYSTAL SPRING DR.
SAN JOSE, CA 95129

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CIVIL ENGINEERS

PHUNG RESIDENCE
1000 PIEDMONT ROAD
MILPITAS, CA 95035
ON SITE UTILITY PLAN

Revisions:

Date: FEBRUARY 20, 2006

Scale: 1" = 20'

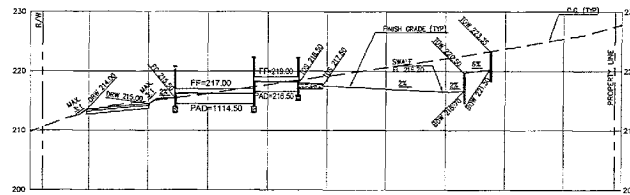
Designed by: S.R.

Drawn by: AM

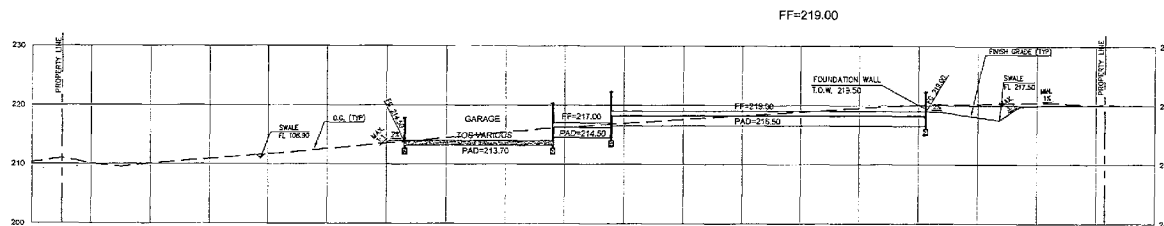
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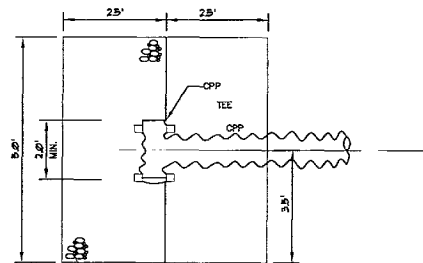
C-2



SECTION B-B
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SCALE V: 1"=10'

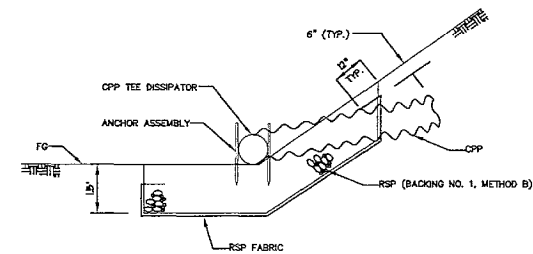


SECTION A-A
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SCALE V: 1"=10'

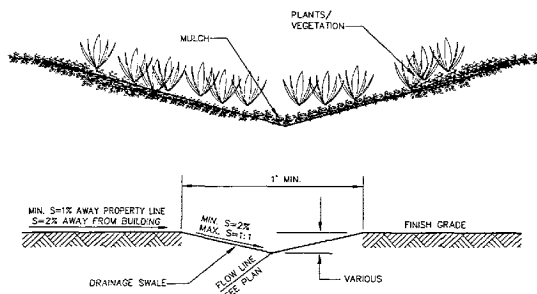


RSP (BACKING NO. 1, METHOD B)
CALTRANS STANDARD

PLAN



SECTION X-X



BIOSWALE DETAIL
NTS

ROCK SLOPE PROTECTION AND TEE ENERGY DISSIPATOR NTS

SMP



ENGINEERS, LLC
CIVIL ENGINEERS

1534 CAROB LANE
LOS ALTOS, CA 94024
TEL: (650) 941-8005
FAX: (650) 941-8705
E-MAIL: SMP@SMPENGINEERS.COM
YAHOO.COM

OWNER:
JACK PERKHAM
6883 CRYSTAL SPRING DR.
SAN JOSE, CA 95120

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PHUNG RESIDENCE
1000 PIEDMONT ROAD
MILPITAS, CA 95035
OFF SITE SANITARY SEWER PROFILE

Revisions:

Date: FEBRUARY 20, 2006

Scale: AS NOTED

Designed by:

S.R.

Drawn by:

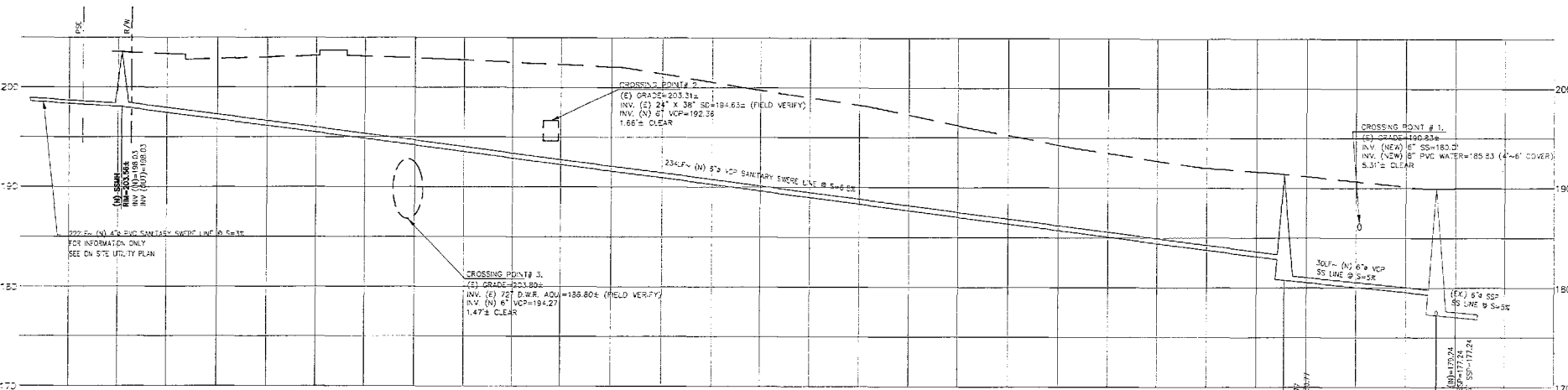
AM

Job #

25111

Sheet:

C-5



(N) SANITARY SEWER LINE PROFILE

SCALE H: 1"=10'
SCALE V: 1"=5'

Record Drawings

To be completed prior to acceptance of work by the City

Signature and Seal Date

P.E. No. Exp.

Public Works Inspector

Public Improvements Initially Accepted by

the City Council on

Revisions

Num.	Date	By	Description	City Engr. Appr. Date

CITY OF MILPITAS ENGINEERING DIVISION

Approved:

City Engineer

Any changes to public improvements
shall be approved by the City engineer

Recommended for Approval

Fire Dept.

Engineering

Date

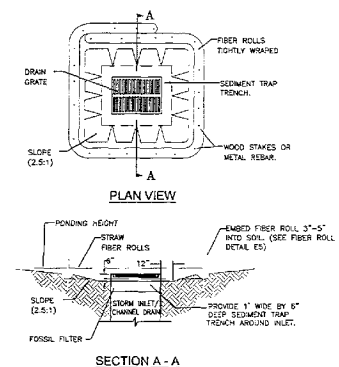
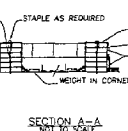
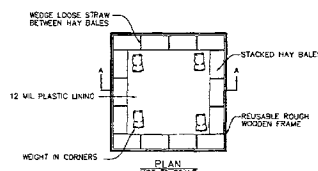
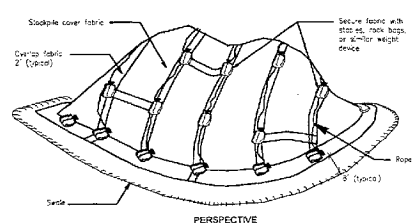
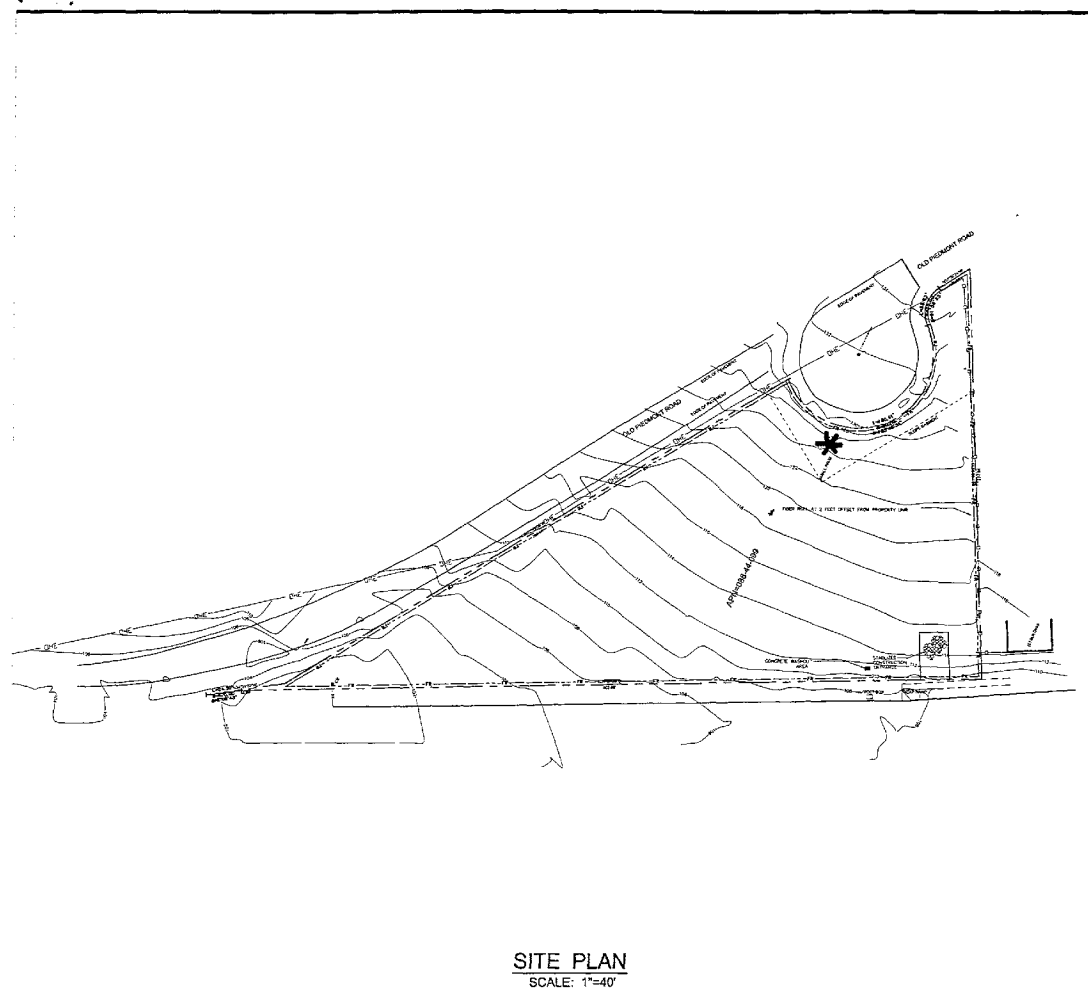
Project No.

Drawing No.

E.P. No.

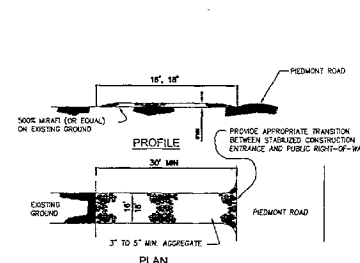
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of



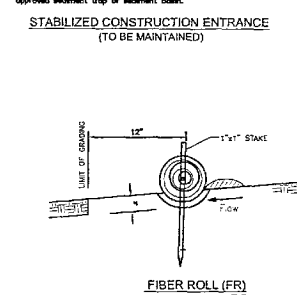
NOTES:

1. PLACE FIBER ROLLS AROUND THE PERIMETER OF THE TRAP. FIBER ROLLS ARE TUBES MADE FROM STRAW BUNDLES W/ PLASTIC NETTING. THEY ARE APPROX. 8" DIA. AND 20' - 30' FT. LONG.
2. FIBER ROLL INSTALLATION REQUIRES THE PLACEMENT AND SECURE STAKING OF THE FIBER ROLL IN A TRENCH. 2" DEEP DUG ON CONTIG. RUNOFF MUST NOT BE ALLOWED TO RUN UNDER OR AROUND FIBER ROLL.
3. THE TOP OF THE STRUCTURE (PONDING HEIGHT) MUST BE WELL BELOW THE GROUND ELEVATION DOWNSLOPE TO PREVENT RUNOFF FROM BY-PASSING THE INLET. EXCAVATION OF A BASIN ADJACENT TO THE DRAIN INLET OF A TEMPORARY DRAIN ON THE DOWNSLOPE OF THE STRUCTURE MAY BE NECESSARY.
4. FIBER FILTERS SHALL BE INCORPORATED IN ALL DRAIN BASINS AND FIELD INLETS 24" AND LARGER AND SHALL BE INSTALLED PER MANUFACTURER SPECIFICATIONS. FIBER FILTERS ARE AVAILABLE FROM KRISTAR ENTERPRISES, INC., 422 LAMARFIELD CENTER, SUITE 271, SANTA ROSA, CA 95403, PHONE (800) 579-1819.



Maintenance

- The entrance shall be maintained in a condition that will prevent tracking or flowing sediment onto public right-of-way. This may require periodic top dressing with additional stone as conditions demand, and repair and/or clean out any measures used to trap sediment.
- All sediment spilled, dropped, washed, or tracked onto public right-of-way shall be removed immediately.
- When necessary, wheels shall be cleaned to remove sediment prior to entrance onto public right-of-way. This shall be done at an area stabilized with crushed stone, which drains into an approved sediment trap or sediment basin.



FIBER ROLL NOTES

1. Place fiber roll in key trench 3" deep and place sownseeded soil on uphill or flow side of the roll.
2. On storm and inflow, fiber rolls shall be abutted at the ends and not overlapped. Place alternate stakes on both sides of the roll, every 5'.
3. Install fiber roll 12" from front of grading.

EROSION AND SEDIMENT CONTROL NOTES AND MEASURES

1. The facilities shown on this Plan are designed to control Erosion and sediment during the rainy season, October 15 to April 15. Facilities are to be operable prior to October 1 of any year. Grading operations during the rainy season, which leave denuded slopes shall be protected with erosion control measures immediately following grading on the slopes.
2. This plan covers only the first winter following grading with assumed site conditions as shown on the Erosion Control Plan. Prior to September 15, the completion of site improvement shall be evaluated and revisions made to this plan as necessary with the approval of the city engineer. Plans are to be resubmitted for city approval prior to September 1 of each subsequent year until site improvements are completed by the city.
3. Construction entrances shall be installed prior to commencement of grading. All construction traffic entering onto the paved roads must cross the stabilized construction entrances.
4. Contractor shall maintain stabilized entrance at each vehicle access point to existing paved streets. Any mud or debris tracked onto public streets shall be removed daily and as required by the city.
5. This erosion and sediment control plan may not cover all the situations that may arise during construction due to unanticipated field conditions. Variations and additions may be made to this plan in the field. Notify the city representative of any field changes.
6. This plan is intended to be used for interim erosion and sediment control only and is not to be used for final elevations or permanent improvements.
7. Contractor shall be responsible for monitoring erosion and sediment control prior, during, and after storm events.
8. Reasonable care shall be taken when hauling any earth, sand, gravel, stone, debris, paper or any other substance over any public street, alley or other public place. Should any blow, spill, or track over and upon public or adjacent private property, immediately remedy shall occur.
9. Sanitary facilities shall be maintained on the site.
10. During the rainy season, all paved areas shall be kept clear of earth materials and debris. The site shall be maintained so as to minimize sediment laden runoff to any storm drainage systems, including existing drainage swales and water courses.
11. Construction operations shall be carried out in such a manner that erosion and water pollution will be minimized. State and local laws concerning pollution abatement shall be complied with.
12. Contractors shall provide dust control as required by the appropriate federal, state, and local agency requirements.
13. With the approval of the city inspector, erosion and sediment controls may be removed after areas above them have been stabilized.
14. The contractor shall implement year-round Best Management Practices, regarding the discharge of non-storm water runoff into the drainage system.

MAINTENANCE NOTES

- A. Repair damages caused by soil erosion or construction at the end of each working day.
- B. Swales shall be inspected periodically and maintained as needed.
- C. Sediment traps, berms, and swales are to be inspected after each storm and repairs made as needed.
- D. Sediment shall be removed and sediment traps restored to its original dimensions when sediment has accumulated to a depth of one foot.
- E. Sediment removed from trap shall be deposited in a suitable area and in such a manner that it will not erode.
- F. Rills and gullies must be repaired.

2. All existing drainage inlets on Piedmont Road, around the project site shall be protected with sand bags during construction. Sand bag inlet protection shall be cleaned out whenever sediment depth is one half the height of one sand bag.

SMP COMPANY CIVIL ENGINEERS

1534 CAROL LANE
LOS ALITOS, CA 94024
TEL: (408) 841-8055
TEL: (408) 472-5562
FAX: (510) 941-8750
E-MAIL: SMPENGINEERS@YAHOO.COM

OWNER:

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PHUNG RESIDENCE
1000 PIEDMONT ROAD
MILPITAS, CA 95035

EROSION CONTROL PLAN

Revisions:

Revisions:

Date: JANUARY 23, 2008

Scale: AS NOTED

Designed by: S.R.

Drawn by: AM

Job #: 25111

Sheet:

C-6



**MILPITAS FIRE DEPARTMENT
BUREAU OF FIRE PREVENTION**

455 E. Calaveras Blvd., Milpitas, CA 95035 (408) 586-3365, FAX (408) 586-3378

MEMORANDUM

DATE: April 24, 2006

TO: Cindy Hom

CC: Patricia Joki, Albert Zamora, Gerardo Amador, Tom Williams

FROM: Jaime R. Garcia

**SUBJECT: NEW RESIDENCE
1000 PIEDMONT RD., MILPITAS
PLANNING APPLICATION NO. P-SZ2005-12

WATER SUPPLY FOR FIRE PROTECTION
RESPONSE TO LETTER DATED 4-12-06, COMMENT NO. 6)**

Cindy,

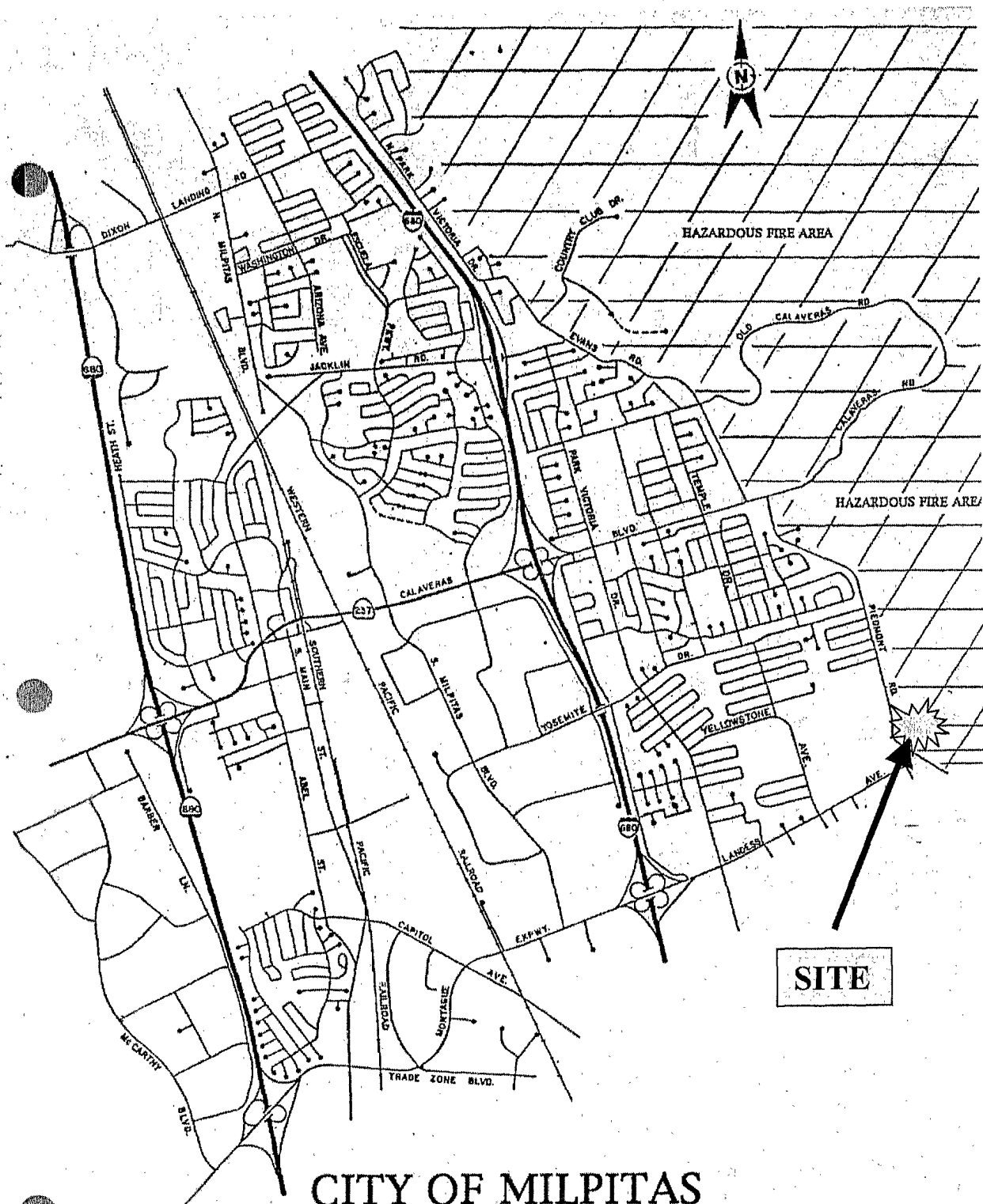
The letter dated 4-12-06 questions the adequacy of fire protection requirements for the proposed home. Please see below for justification of requirements.

- ❑ **WATER SUPPLY REQUIREMENTS FOR RESIDENCE – MILPITAS MUNICIPAL CODE V-300-2.1.24**
Any dwelling located more than 500 feet from a hydrant is considered to be without adequate piped water supply for fire protection. Under the noted Municipal Code Section, a minimum of 200 gallons per minute for 20 minutes is required.

The requirement to install a public hydrant as part of this application far exceeds the minimum water supply requirements imposed by Municipal Code. A public hydrant provides an estimated 1,500 gallons per minute to as much as 3,000 gallons per minute.

- ❑ **AUTOMATIC SPRINKLER SYSTEM – MILPITAS MUNICIPAL CODE V-300-2.143**
Milpitas Municipal Code Section V-300-2.143 requires an automatic fire sprinkler system for homes located within the Fire Hazardous Area Map (see attachment for map). The proposed home will need to be provided with an automatic fire sprinkler system.

It's the opinion of the Milpitas Fire Prevention Division that the imposed requirements meet or exceed the minimum fire protection Code requirements for this home. As part of the construction, the residence will need to install an automatic fire sprinkler system and a public hydrant for fire protection.



CITY OF MILPITAS
HAZARDOUS FIRE AREA MAP

Date: April 12, 2006

Item No.

MILPITAS PLANNING COMMISSION AGENDA REPORT

Category: Public Hearings

Report Prepared by: Cindy Hom

Public Hearing: Yes ☒ No: ☐

Notices Mailed On: 3/31/06

Published On: 3/30/06

Posted On: 3/31/06

TITLE: "S"ZONE APPROVAL NO. SZ 2005-12

Proposal: A request to construct a 5,994 square foot single story residence, detached second family unit, and various landscape amenities including a patio cover, in ground pool, and spa.

Location: 1000 Piedmont Road (APN 88-44-099)

RECOMMENDATION: Approve with conditions to City Council

Applicant: John Ha, 510 Lawrence Expressway, Sunnyvale, CA 94085

Property Owner: Phung Nguyen and Trang Tran, 1671 Canyon View Dr. San Jose, CA 95132

Previous Action(s): Tentative Map Approval

Environmental Info: Categorically Exempt pursuant to section 15303 of the California Environmental Quality Act (Construction or conversion of small structures).

General Plan Designation: "Hillside – Very Low Density"

Present Zoning: Single Family Residential-Hillside" ("R1-H")

Existing Land Use: Vacant

Agenda Sent To: Applicant/property owner

Attachments: Plans

PJ #: 3197

BACKGROUND

On December 16, 1986, the City Council approved Tract No. 7943 (Hillcrest Major Subdivision) for the development of 716 residential lots that included a mixture of conventional homes, patio homes, townhomes and a 7 acre public park. The approved tract map included the subject parcel that remained undeveloped.

Site Description

The subject site is a 1.68-acre triangular shaped parcel located on the northeast quadrant of the intersection at Piedmont Road and Landess Avenue. The subject site is situated at the base of the Milpitas foothills and is bounded by the abandoned segment of Old Piedmont Road Cul-de-sac and the undeveloped hillside to the east; a planned unit development consisting of single family hillside homes to the northeast; single family homes to the west and southwest; and the Milpitas/San Jose city boundary and a multifamily dwellings to the south.

Currently, the parcel is undeveloped and is covered over with natural vegetation. A row of city street trees runs along the west property line. The existing topography is relatively flat with slight upslope. Provided below is an aerial photo of the subject site and surrounding uses.



THE APPLICATION / PROJECT DESCRIPTION

Pursuant to Section 45 (Hillside Combining District) and Section 42 (Site and Architectural Review), of the Milpitas Zoning Ordinance, the applicant has submitted an application to construct a new 5,994 square foot single story residence, detached second family unit, and various landscape amenities on a 1.68-acre parcel located at 1000 Piedmont Road.

Site Plan

The proposed residence will be situated on the southern portion of the triangular shaped parcel approximately 6,000 feet away from the perceived Crestline. The proposed residence has a roughly "L" shaped building footprint, with main living space aligned approximately north-south and with the garage aligned northeast-southwest. The 809 square foot detached second family unit, attached patio cover, pool and retaining wall are located in rear half of the lot and within the

parcel's building envelope. The property is accessed from Piedmont Road by a single, "Y" shaped driveway that serves the garage and the main front entryway. A meandering pervious walkway is proposed along the southern perimeter to connect the formal front entry to the rear yard and second family unit.

Building Architecture

The architecture of the house is characterized by a concrete gray-brown slate tile roof with stucco covered walls painted with muted earth tones. Multiple bay windows are proposed on the front, side and rear elevations. Decorative stacked stone is applied to the base of each bay window. All windows are multi-paned and either arched and/or rectangular shaped.

Table: 1 notes the impervious area of the subject proposal:

Table 1

Impervious Surfaces	
Lot Area	73,181 sq. ft. (1.68 acres)
Main Residence	5,994 sq. ft
Total Impervious Surfaces	7,998sq. ft.
Building footprint	5,994 sq. ft.
Detach second family unit	809 sq. ft.
Open patio cover	470 sq. ft.
Future swimming pool and spa	545 sq. ft
Front entrance	180 sq. ft.

The driveway and all walkways shall utilize a pervious concrete material. The proposed material is not identified as an impervious surface. Section 45.17-2 defines impervious surfaces as surfaces that will not allow or greatly reduce the penetration of water into the ground such as concrete, asphalt, bricks, swimming pools, "turf stones", plastic sheeting to name a few. The Stormwater C3 Guidebook that was adopted by the Planning Commission includes pervious concrete as a permeable pavement. **Staff recommends** a condition of approval, that requires the applicant to clarify the on the building permit plans that pervious concrete not perforated pavers is to be used for the driveway and walkways.

Landscaping is proposed along the west, south and east elevations and consist of forty-three (43) 24-inch box trees and other various shrubs and ground cover to be planted throughout the site. The proposed landscaping is consistent with City Council Resolution 6066 (Hillside Landscaping Water Conservation and Fire Hazard Mitigation Measures) and utilizes plants from the suggested plant list.

ISSUES

Conformance with the General Plan

The proposed project does not conflict with the General Plan and is consistent with Guiding Principle 2.a-G-3, which encourages a variety of housing types and densities that met the needs of individuals and families. Furthermore, the proposed project is also consistent with following Implementing policies:

- ❑ 2.a-l-10 – fosters community pride through beautification of existing and future development.
- ❑ 2.a-l-16 – preserves the natural hillside by limiting new development in the hillside area to only very low-density residential zone.
- ❑ 2.a-l-18 – retains the natural character of the hillside by utilizing designs, colors, and materials that blends with the environment and terrain.

Major Visual Gateway and Scenic Corridor

According to the General Plan, the project site is a major visual gateway located with the City's scenic corridor, as shown on the Scenic Resources and Routes General Plan Map (Figure 4-6). Properties within the scenic corridor are subject to specific design requirements and height restrictions that include but not limited to the following:

- ❑ Limit to uses permitted or conditionally permitted in the R-1 Single Family residential and Parks and Open Space Zoning Districts.
- ❑ Clustering of structures to preserve open space.
- ❑ 17' maximum height limit.
- ❑ Disallow obstruction of scenic features such as ridgelines, stands of trees, historic or scenic structures or destruction of any distinctive physical characteristics of significant scenic value.
- ❑ Avoid architectural features like unusually long blank walls, unbroken roof lines and/or steep roof pitches that detract from the scenic characteristics of the site.
- ❑ Utilize an appropriate scale that is consistent with the scale of the existing development in the immediate vicinity and within the Scenic Corridor.
- ❑ Ensure bulk of building(s) will not dominate views of the corridor.
- ❑ Use building colors and materials that are harmonious and complement the rural "natural" hillside setting.
- ❑ Limit driveway access off scenic corridors.

Implementing Policy 4.g-1-5 states that new development within the Scenic Corridor will be subject to site and architectural review by the Planning Commission for the following:

- ❑ Architectural design of the development
- ❑ Use of materials that help blend the building into the surrounding
- ❑ Screening of parking, storage and other such areas by using trees and shrubs.

As proposed, the project complies with the General Plan requirements for new development within the Scenic Corridor. Single-family dwellings are a permitted use in the R1-H zone. The main dwelling and accessory structures and buildings are consolidated to the southern portion of the parcel, leaving the north end as landscaped open space. The proposed home will not exceed the 17' maximum height limit and will not dominate views of the scenic corridor or obstruct views of the hillside because it located at the base of the foothill and the proposed landscape will help frame as well as enhance views. In addition, the dwelling and accessory

structures and buildings will be constructed with quality materials such as a concrete slate tile roof, stucco, and stacked stone and will also utilize earth tone colors that help blend the building with the natural surroundings. The project also proposes a single driveway access off of Piedmont Road. An alternative access is not possible because of the dilapidated condition of the abandon road and cul-de-sac. As mentioned, landscaping will help frame and/or enhance views but also serves as screening for the garage and driveway areas. **Staff recommends** a condition of approval that shall require all landscaping to be installed prior to occupancy to ensure the development is orderly and maintains the aesthetics of the scenic corridor.

Geological Concerns

According the Seismic and Geotechnical General Plan Map (Figure 5-2), the project site is located within the Alquist-Priolo Special Study Zone. As a result, a geological and geotechnical study is required to identify any significant seismic fault and/or slope instability hazards on the site that would threaten the proposed residence and to provide mitigation measures. Based on information contained in the geological and geotechnical report dated September 11, 2005 by Billy Lin and Associates (BLA), the report indicates the project site is located within proximity to the Crosley and Berryessa Faults. The Crosley Fault is located close to and along the northeastern property boundary of the project site and the Berryessa Fault is located approximately 900' northeast of the site. The site was investigated to determine the possible presence of the Crosley Fault, possible fault orientations, and the potential for surface rupture. A 140-linal-feet exploratory trench was taken at the northern portion of the proposed main building footprint. The exploratory trench log exposed continuous layers of alluvial deposits and did not show evidence of fault displacements such as offsets, shear planes, abrupt changes in color, texture or moisture.

The project site is also located next to the Berryessa Creek Landslide Complex. Both earlier and current investigations indicate the presence of a landslide on the east side of the project site. Data obtained for this study indicated that the slopes adjacent to the east side of the project are generally stable except for the localized Northern Young Landslide. The Geological and Geotechnical report by BLA noted, "...this young landslide moves towards the northwest away from the northern end of the project site and does not appear to adversely impact the structure integrity of the proposed structures."

The California Division of Mines and Geology Seismic Hazard Zone Map for the Calaveras Reservoir Quadrangle (October 2001) indicates two-thirds of the project site is in a potential area for earthquake-induced landslides. There is a potential for strong to very strong seismic shaking which can be a hazard for natural and artificial slopes. Although it is probable that the project site will experience at least one strong ground shaking during the lifetime of the residential development, the anticipated risk would be low and confined to the upper surface silty clays that mantle the project. These potential hazards can be minimized provided the design recommendations and construction considerations are incorporated in the project. Therefore, **staff recommends** a condition approval that shall require the applicant to incorporate the geotechnical recommendations presented in the report dated September 11, 2005 and the addendum prepared by GEI dated February 13, 2006. Furthermore, the City's building permit process requires a site-specific soils report and compliance with seismic safety construction standards as part of the city's building permit review and construction inspection process,

therefore the impacts anticipated regarding seismic ground shaking, expansive soils, or liquefaction are less than significant.

The report also further indicates a low probability of seismic-induced differential settlement, liquefaction, lateral spreading and lurch cracking because the dense nature of the subsurface soils, absences of an appreciable water table, and because it is uncommon for lateral spreading and lurching to occur in this area.

Conformance with the Zoning Ordinance

The project was reviewed for compliance with the Zoning Ordinance development standards and requirements for the R1-H (Single Family-Hillside) and are described in Table 2 below:

TABLE 2

HILLSIDE ZONING STANDARDS & REQUIREMENTS			
	REQUIRED	PROPOSED	COMPLIES
BUILDING HEIGHT			
17 WEST OF CRESTLINE	17'	17"	✓
27' EAST OF CRESTLINE	n/a	n/a	
SETBACKS			
FRONT	25' If avg. slopes is < 16%; otherwise 40' is required	25	✓
SIDE	40'	40'	
REAR	40'	40'	
SIZE OF MAIN RESIDENCE	6,000 sq. ft. maximum	5,994 sq. ft.	✓
IMPERVIOUS SURFACES	10% of total lot area or 8,000 SQ. FT.	7, 998 sq. ft.	✓
CRESTLINE ZONE OF PROTECTION (CZP)	No structure shall visually intrude into the CZP. Land within the CZP shall remain in a natural condition and structures, grading and non-native plant material are prohibited.	No structure in the CZP. Located approximately 6,000 away from the CZP.	✓
LOT AREA	None specified. The avg. land area/dwelling is based on the Slope Density Equation. The General Plan requires a density of 1 unit/10gross acres. However, lots that were created prior to the effective date the Hillside Ordinance was codified are exempt.	Not applicable. Lot is exempted per Section 45.03-7	✓

Site & Architectural Guidelines

Section 45.09-7 sets forth guidelines for the Commission and Council to consider in their review of Hillside homes. These guidelines are summarized below along with comments regarding the proposed plan's conformance with them.

Site & Architectural Guidelines	Comments Regarding Subject Proposal
(a) Avoid Unreasonable Interference with Views and Privacy	<ul style="list-style-type: none"> ❑ Complies with the 17' maximum height limit. ❑ Would not unreasonably interfere with views from surrounding properties or views of the hillside based on the view obstruction and restriction analysis provided with the plans submitted by the applicant. ❑ As proposed, the residence is located approximately 545' from the next hillside home, approximately 170' from single-family tract homes on the west, and approximately 50' from a two story multifamily dwelling unit that is outside of the Milpitas city boundary. Based on the location and distance from adjacent properties, the project will not interfere with privacy.
(b) Preserve Natural Landscape	<ul style="list-style-type: none"> ❑ As proposed, the home is situated on a relatively flat to gentle sloped parcel and is designed to blend with the natural contours. ❑ Only two street trees that are less than 10" in diameter are proposed to be removed and replaced onsite with 43 other trees that will enhance and frame views of the home and hillside setting appropriately.
(c) Minimize Perception of Excessive Bulk	<ul style="list-style-type: none"> ❑ As proposed, the dwelling and accessory structures will be single story while the other adjacent homes are two stories and therefore will not give the appearance of excessive bulk. ❑ The main dwelling and accessory structures are consolidated to the southern portion of the parcel, leaving the northern portion as open space for landscaping.
(d) Impairment of Light & Air	<ul style="list-style-type: none"> ❑ The proposed single story residence will not impair light and air on adjacent existing residential structures because they are located a at least 50' away and are at least two stories in height.
(e) Minimize Grading	<ul style="list-style-type: none"> ❑ As proposed, the main dwelling shall be located where the parcel is relatively flat so that grading can be minimized. Only 380 cubic yards will be exported for the main dwelling. However, the applicant will need to grade approximately 1836 cubic yards for the back yard and pool where the parcel experiences a slight upslope. The impact will be minimal since the new contours will be designed to blend with the natural contours as demonstrated on the civil drawings.

Second Family Unit

Per Section 54.22, any application for a second family unit that meets the required development standards and setbacks shall be approved ministerially without discretionary review or public hearing. As proposed the second unit complies with the following standards:

- ☐ Lot is residentially zoned that contains (1) legal single-family dwelling and (1) second family unit.
- ☐ As demonstrated on plans dated February 23, 2006, the proposed second family unit does not exceed 17' in height or exceeds 1,200 sq. ft. in size, is located on the rear half of the lot and is no closer than 6' from the main dwelling and no farther than 100' from the main dwelling, and does not cover more than 30% of the total required rear yard.
- ☐ Driveway accommodates (1) additional parking space.
- ☐ Constructed with a permanent foundation.
- ☐ Designed to match and complement the main dwelling.

California Environmental Quality Act

The project is exempt from further environmental review pursuant to Class 3, Section 15303 ("New Construction of limited new facilities), (a) of the California Environmental Quality Act (CEQA) guidelines.

RECOMMENDATION

Recommend approval to the City Council based on the findings and subject to the conditions listed below.

FINDINGS

1. The project complies with the relevant sections of the City's General Plan and Zoning Ordinance.
2. The proposed residence is of an attractive design using appropriate colors and materials that complement the surrounding neighborhood and Hillside area.
3. The project is Categorically Exempt from the requirements of the California Environmental Quality Act (*CEQA*) inasmuch as it meets the definition of Class 3 Exemption (*i.e. new construction of small structures—specifically, construction of up to three single-family residences in urbanized areas*).

SPECIAL CONDITIONS

1. This approval is for the development of a 5,994 square foot single-family residence, detached second family unit, and various landscape amenities as shown on approved plans dated April 12, 2006 and as modified by these conditions of approval. Any modification shall be submitted pursuant to Section 42 for Planning Commission review and approval. (P)

2. Prior to any tree removal, the applicant shall obtain a tree removal permit from the City Parks and Facilities Department. (P) (PW)
3. Prior to any demolition or grading permit issuance, the applicant shall submit to the Planning Division a tree protection plan prepared by an arborist, addressing protective measures for the existing trees to be retained on the developed site. (P) (PW)
4. Prior to any demolition or grading permit issuance, the applicant shall obtain tree removal permits as required. (P) (PW)
5. Applicant shall screen all ground utilities (backflow preventers) and necessary fire equipment (as per Fire Department Standards). (P)
6. The building height shall not exceed 17 feet for the residence and any accessory structures and buildings as measured from the lowest finished grade to the highest ridgeline of the building, per the City of Milpitas Hillside Ordinance. (P)
7. Impervious surface area shall not exceed 10% of the lot area or a maximum of 8,000 square feet, per the City of Milpitas Hillside Ordinance. (P)
8. No structures of human occupancy should be constructed within 50 feet of the Crosley Fault and within 75 feet of the Landslide Toe. Construction drawings shall clearly show the Crosley Fault setback and the Landslide setback. (P)
9. The applicant shall comply with the findings and recommendations prepared by Billy Lin and Associates, contained in the geotechnical reports, dated September 11, 2005 and the addendum prepared by GEI dated February 13, 2006 to ensure compliance with this mitigation. The applicant shall also submit a letter from a licensed geotechnical engineer at Billy Lin and Associates certifying that all of their recommendations have been incorporated into the submitted building or grading plans prior to issuance of any grading or building permit. Additionally, prior to obtaining a final, a certificate of occupancy, or any occupancy for the building, the applicant shall submit a letter from a licensed geotechnical engineer at Billy Lin and Associates certifying that all of their recommendations have been satisfied. (P) (E) (B)
10. The applicant shall submit a grading plan to the Planning staff showing that the overall height, grade, cut and fill slopes are developed in conformance with the recommendations from the Geological and Geotechnical Report dated September 11, 2005 and the addendum dated February 13, 2003. (P)
11. The applicant shall record with the Santa Clara County Records office a hold harmless agreement with the deed for the property disclosing that the site is located within an ancient landslide area, which may have higher than normal potential landslides. This agreement would hold harmless the City from future landslides resulting from development of a site within an ancient landslide area. The City Attorney shall draft said agreement. (P)
12. The applicant shall submit an erosion control plan to the approval of the Planning Division. Erosion control measures shall be in place prior to the start of any work and maintained until the completion of construction. (P)
13. During all construction activities on-site, the project applicant/developer shall adhere to the following Best Management Practices as suggested by BAAQMD:

- a. Watering all active construction areas twice daily and mover often during windy periods. Active areas adjacent to existing land uses shall be kept damp at all times, or shall be treated with non-toxic stabilizers or dust palliatives.
 - b. Cover all trucks hauling soil, sand, and other loose material or require all truck to maintain at least 2 feet freeboard level within their truck beds.
 - c. Pave, apply water three times daily or apply non-toxic soil stabilizers on all unpaved access roads, parking areas, and staging areas at the construction site. (P)
14. Prior to certificate of occupancy all landscaping shall be installed. (P)
15. The applicant shall clarify on the building permit plans that pervious concrete is to be used for the construction of the driveway and walkways. (P)
16. If at the time of application for permit there is a project job account past due balance to the City for recovery of review fees, review of permit will not be initiated until the balance is paid in full. (P)
17. Public easement should be clearly marked. There should be no private plantings or irrigation around public tree plantings. (PW)
18. The issuance of building permits to implement this land use development will be suspended if necessary to stay within (1) available water supplies, or (2) the safe or allocated capacity at the San Jose/Santa Clara Water Pollution Control Plant, and will remain suspended until water and sewage capacity are available. No vested right to the issuance of a Building Permit is acquired by the approval of this land development. The foregoing provisions are a material (demand/supply) condition to this approval. (E)
19. Prior to issuance of any building permits, developer shall obtain approval from the City Engineer of the water, sewer and storm drain studies for this development. These studies shall identify the development's effect on the City's present Master Plans and the impact of this development on the trunk lines. If the results of the study indicate that this development contributes to the over-capacity of the trunk line, it is anticipated that the developer will be required to mitigate the overflow or shortage by construction of a parallel line or pay a mitigation charge, if acceptable to the City Engineer. (E)
20. At the time of building permit plan check submittal the developer shall submit a grading plan and a drainage study prepared by a registered Civil Engineer. The drainage study shall include offsite tributary drainage areas currently draining to this site via existing cul-de-sac and analyze the existing and ultimate conditions and facilities. The subject study shall recommend adequate drainage facilities to properly accept and convey drainage flows. The study shall be reviewed and approved by the City Engineer and the developer shall satisfy the conclusions and recommendations of the approved drainage study prior to building permit issuance. (E)
21. Prior to building permit issuance, the developer shall obtain design approval and bond for all necessary public improvements along Piedmont Road including but not limited to new curb and gutter, pavement, street lights, fire hydrants, water and sewer main line extension to serve the development, storm drain, sewer and water services. Plans for all public improvements shall be prepared on Mylar (24"x36" sheets) with City Standard Title Block and submit a

digital format of the Record Drawings (AutoCAD format is preferred) upon completion of improvements. The developer shall also execute a secured public improvement agreement. The agreement shall be secured for an amount of 100% of the engineer's estimate of the construction cost for faithful performance and 100% of the engineer's estimate of the construction cost for labor & materials. (E)

22. Prior to building permit issuance, developer must pay all applicable development fees, including but not limited to, water, sewer, and storm drain connection fees, plan check and inspection deposit. These fees are collected as part of the secured public improvement agreement. (E)
23. Prior to any building permit issuance developer shall dedicate necessary public service utility easements, as shown on the Engineering Services "S" dated 3/9/2006. (E)
24. All existing on-site public utilities shall be protected in place and if necessary relocated as approved by the City Engineer. No permanent structure is permitted within City easements and no trees or deep-rooted shrub are permitted within City utility easements, where the easement is located within landscape areas. (E)
25. The U.S. Environmental Protection Agency (EPA) has empowered the San Francisco Bay Regional Water Quality Control Board (RWQCB) to administer the National Pollution Elimination Discharge System (NPDES) permit. The NPDES permit requires all dischargers to eliminate as much as possible pollutants entering our receiving waters. Construction activities which disturb 1 acres or greater are viewed as a source of pollution, and the RWQCB requires a Notice of Intent (NOI) be filed, along with obtaining an NPDES Construction Permit prior to the start of construction. A Storm Water Pollution Prevention Plan (SWPPP) and a site monitoring plan must also be developed by the applicant, and approved by the City prior to permit issuance for site clearance or grading. Contact the RWQCB for questions regarding your specific requirements at (800) 794-2482. For general information, contact the City of Milpitas at (408) 586-3329. (E)
26. The developer shall not obstruct the noted sight distance areas as indicated on the City standard drawing #405. Overall cumulative height of the grading, landscaping & signs as determined by sight distance shall not exceed 2 feet when measured from street elevation. (E)
27. The developer shall submit the following items with the building permit application and pay the related fees prior to building permit issuance:
 - A) Storm water connection fee of **\$3594**, water connection fee of **\$1910**, sewer connection fee of **\$1908** and wastewater treatment plant fee of **\$880**.
 - B) Water Service Agreement(s) for water meter(s) and detector check(s).
 - C) Sewer Needs Questionnaire and/or Industrial Waste Questionnaire.Contact the Land Development Section of the Engineering Division at (408) 586-3329 to obtain the form(s). (E)
28. Prior to any work within public right of way or City easement, the developer shall obtain an encroachment permit from City of Milpitas Engineering Division. (E)

29. It is the responsibility of the developer to obtain any necessary encroachment permits or approvals from affected agencies and private parties, including but limited to the State of California Department of Water Resources (DWR). Copies of these approvals or permits must be submitted to the City of Milpitas Engineering Division. (E)
30. Apply applicable Guidelines for New Developments and Hillside Landscaping Water Conservation Policy (Resolution # 6066). (E)
31. Per Milpitas Municipal Code Chapter 2, Title X (Ord. No. 201), developer may be required to obtain a permit for removal of any existing tree(s). Contact the Street Landscaping Section at (408) 586-2601 to obtain the requirements and forms. (E)
32. The developer shall call Underground Service Alert (U.S.A.) at (800) 642-2444, 48 hrs prior to construction for location of utilities. (E)
33. At the time of building plan check submittal, the developer shall incorporate the changes shown on Engineering Services Exhibit "S"(dated 3/9/2006) in the design plans and submit three sets of civil engineering drawings showing all proposed utilities and public improvements to the Land Development Engineer for plan check. (E)

(P) = Planning Division; (E) = Engineering Division